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Ontario Legislative Assembly

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OF THE

# Legislative Assembly

OF THE

## PROVINCE OF ONTARIO

*From the 31st January to 3rd April, 1934  
Both Days Inclusive*

IN THE TWENTY-FOURTH YEAR OF THE REIGN OF OUR  
SOVEREIGN LORD, KING GEORGE V.

BEING THE

Fifth Session of the Eighteenth Legislature  
of Ontario

SESSION 1934

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# Journals of the Legislative Assembly, Ontario

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### HAMILTON, CITY OF:

Petition for an Act respecting, laid on Table, 10. Read and received, 13. Reported by Committee on Standing Orders, 34. Bill (No. 14) introduced and referred to Committee on Private Bills, 37. Reported, 54. Second reading, 62. House in Committee, 65. Third reading, 87. Royal Assent, 243. (24 George V, c. 76.)

### HAMILTON, ONTARIO HOSPITAL AT:

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### HARRISTON, TOWN OF:

Petition for an Act respecting, laid on Table, 28. Read and received, 32. Reported by Committee on Standing Orders, 34. Bill (No. 31) introduced and referred to Committee on Private Bills, 37. Reported, 108. Second reading, 123. House in Committee, 129. Third reading, 138. Royal Assent, 244. (24 George V, c. 78.)

### HASKELL, A. J. L.:

See *Government Loan*.

### HAVELOCK:

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### HAWKESBURY:

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### HEALTH ACT, THE PUBLIC:

1. Bill (No. 67) to amend, introduced, 47. Second reading, 62. House in Committee, 65. Third reading, 122. Royal Assent, 245. (24 George V, c. 47.)
2. Bill (No. 85) to amend, introduced, 69. Order discharged and Bill withdrawn, 93.

### HEALTH, DEPARTMENT OF:

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2. Report for 1933, 219. (*Sessional Paper No. 14.*)

## HEARN, EDWARD:

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## HENRY, HONOURABLE GEORGE S.:

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## HIGH COMMISSIONER FOR CANADA:

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## HIGHWAY DEBT, THE PROVINCIAL:

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## HIGHWAY TRAFFIC ACT, THE:

1. Bill (No. 78) to amend, introduced, 56. Second reading and referred to  
Committee on Legal Bills, 76. Not reported, 155.
2. Bill (No. 91) to amend, introduced, 72. Second reading, 87. House in  
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V, c. 21.)

## HIGHWAYS:

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## HIGHWAYS, DEPARTMENT OF:

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2. Question (No. 13) as to purchase of lands by Department from Mrs.  
S. G. Kitchen, 30.
3. Question (No. 24) as to contract for construction of highway from  
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4. Question (No. 26) as to what proportion of cost of resurfacing, repairs,  
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6. Question (No. 60) as to purchase by, of road materials in Toronto Township, 74.
7. Question (No. 70) as to arrears of gasoline tax and by whom owing, 197.
8. Question (No. 71) as to receipts from gasoline tax and rebates granted, 91.
9. Question (No. 72) as to companies allowed to retain commissions on collection of gasoline tax. Withdrawn.
10. Question (No. 74) as to what is being done towards clearing highway from Lancaster to Hawkesbury, 99.
11. Question (No. 75) as to purchase of cement by, for use on highways during 1930, 1931, 1932, 1933, 99.
12. Question (No. 77) as to tenders and contract for Norwood subway, 100.
13. Question (No. 90) as to payments to property owners on Highway No. 19, between Woodstock and Tavistock, 102.
14. Question (No. 91) as to cost of drainage on Highway No. 19, 102.
15. Question (No. 112) as to number of inspectors appointed under The Public Commercial Vehicles Act during 1932 and 1933, their names and activities, 198.
16. Question (No. 138) as to whether amount of \$407,926.04 owing to Government by Municipalities has been paid, 202.
17. Charges made by Mr. Munro against J. R. Gunning referred for investigation by Committee on Public Accounts, 119. Report, 195.
18. Gasoline, Act respecting handling of:  
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19. Public Vehicle Act, The:  
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20. Report for 1933, 219. (*Sessional Paper No. 56.*)

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1. Referred to in Speech from Throne, 4.
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3. Power Commission Act, The:

Bill (No. 142) to amend, introduced, 146. Second reading, 216. House in Committee, 222. Third reading, 239. Royal Assent, 246. (24 George V, c. 42.)

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6. Question (No. 62) as to salaries of principal officials. Lapsed.
7. Question (No. 86) as to contracts made in Northern Ontario aside from those made with Northern Power Corporation and Northern Quebec Power Corporation, 150.
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9. Question (No. 100) as to what properties were affected by special warrant of October 31st, 1933, and if expenditure was charged to Capital Account, 152.
10. Question (No. 102) as to particulars of contracts for Nipigon power, 139.
11. Question (No. 109) as to whether the Commissioners and officials are permitted to carry on private business, 212.
12. Question (No. 110) as to total cost of Leaside Transformer Station and amount of power received at, 140.
13. Question (No. 111) as to whether the Commission floated a loan in February or March, 1934, and particulars of same, 141.
14. Question (No. 127) as to when the Commission started serving the Village of Sydenham and particulars of contract, 199.
15. Question (No. 130) as to rates for Hydro power in Toronto, London, Ottawa, Hamilton and Peterborough, 213.
16. Question (No. 131) as to cost of installing water heaters, number installed, etc., 200.
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## HYDRO-ELECTRIC POWER COMMISSION INQUIRY:

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2. Question (No. 142) as to procedure followed by Royal Commission investigating Beauharnois and Dominion Power matters, purchase from M. J. O'Brien and payment to John Aird, Jr., 214.

**I**NDUSTRIAL MORTGAGE AND TRUST COMPANY AND THE EAST LAMBTON FARMERS' LOAN AND SAVINGS COMPANY: ..

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## INSURANCE ACT, THE:

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Bill (No. 118) to amend, introduced, 109. Second reading, 147. House in Committee, 189. Third reading, 210. Royal Assent, 245. (24 George V, c. 22.)

## INSURANCE (TEMPORARY PROVISIONS) ACT, THE:

Bill (No. 55) introduced, 23. Second reading, 28. House in Committee, 31. Third reading, 121. Royal Assent, 244. (24 George V, c. 23.)

## INSURANCE, SUPERINTENDENT OF:

Report for 1933, 207. (*Sessional Paper No. 6.*)

## INTERPRETATION ACT, THE:

Bill (No. 114) to amend, introduced, 95. Second reading, 122. House in Committee, 131. Third reading, 139. Royal Assent, 245. (24 George V, c. 24.)

**J**ACQUELINE FERRY:

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## JEFFREY, R. T.:

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## JOHNSON, FRANCIS:

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## JOHNSTON, STRACHAN, K.C.:

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## JUDICATURE ACT, THE:

Bill (No. 53) to amend, introduced, 21. Second reading, debate on, 40. Order discharged and Bill withdrawn, 116.

## JUSTICES OF THE PEACE:

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## JUVENILE COURTS ACT, THE:

Bill (No. 56) to amend, introduced, 25. Second reading, 31. House in Committee, 46. Third reading, 121. Royal Assent, 244. (24 George V, c. 25.)

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## KENORA YOUNG MEN'S CHRISTIAN ASSOCIATION:

Petition for an Act respecting, laid on Table, 10. Read and received, 14. Reported by Committee on Standing Orders, 33. Bill (No. 18) introduced and referred to Committee on Private Bills, 35. Reported, 76. Fees, less penalties and cost of printing remitted, 77. Second reading, 83. House in Committee, 87. Third reading, 94. Royal Assent, 243. (24 George V, c. 80.)

## KENT, EAST:

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## KERR, F. W., AND COMPANY:

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## KIRK, S.:

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## KITCHEN, MRS. S. G.:

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**L**ABOUR, COMMITTEE ON:

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2. Appointed, 17.
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4. Names of Mr. Reid and Mr. Nesbitt added, 147.
5. Report, 207.

## LABOUR, DEPARTMENT OF:

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## LACLOCHE ISLAND TO LITTLE CURRENT:

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## LAKES AND RIVERS IMPROVEMENT ACT:

Bill (No. 82) to amend, introduced, 69. Order discharged and Bill withdrawn, 186.

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3. Question (No. 23) as to flying operations of Forestry Branch, 57.
4. Question (No. 31) *re* particulars as to sale of Timber Area No. 17 in Kenora District, July 14th, 1927, 57.
5. Question (No. 34) as to particulars of sale of timber area north of McGregor Township, November 19th, 1928, 72.
6. Question (No. 35) as to sales of timber, tie or pulpwood lands to Shevlin-Clarke Co., Limited, since November 1st, 1926, 59.
7. Question (No. 36) as to placements made under Relief Land Settlement Scheme, 79.
8. Question (No. 37) as to construction and use of Fireboat "Wasp," 60.
9. Question (No. 38) as to amount of pulpwood cut on various pulpwood concessions during years 1926 to 1933, 96.
10. Question (No. 49) as to Crown Timber Agents in 1931, 1932, 1933, dues collected and arrears of dues, 98.
11. Question (No. 55) as to whether licensees of timber and pulpwood concessions are permitted to pledge their licenses as security for loans. Withdrawn.
12. Question (No. 63) as to what pulp and paper companies have reported under Section 3 of The Pulpwood Conservation Act, 1929, 148.
13. Question (No. 67) as to number of cords of pulpwood cut on certain pulp and timber areas, 149.
14. Question (No. 68) as to operations under the "Sturgeon Falls Agreement" of October 6th, 1898, the "Clergue Agreement" of November 21st, 1894, and the "Espanola Contract" of September 21st, 1899, 125.

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16. Question (No. 81) as to purchases of pulpwood outside the Province and from settlers, 101.
17. Question (No. 85) as to application of E. E. Wallace for timber areas in the Kenora District, 104.
18. Question (No. 121) as to amount owing to Government by Abitibi Company at the time it went into liquidation and what amount has been paid, 153.
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20. Motion for a Return showing all correspondence and communications relating to a resolution of the House of April 14th, 1924, regarding wages in contracts for sale of timber or pulpwood or the development of water powers, 142. Returned, 242. (*Sessional Paper No. 57.*)

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3. Granted permission to sit concurrently with House, 26.
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5. Report on McCaughrin charges adopted on Division, 181-2.
6. Name of Mr. Murphy (St. Patrick's) added to sub-committees to consider proposed amendments to The Judicature Act, The Division Courts Act and The Juror's Act, 38.
7. Report of Sub-committee appointed to consider Bills No. 68, 78, and 127 of 1933, 123.



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## LIQUOR CONTROL ACT, THE:

1. Bill (No. 140) to amend, introduced, 138. Second reading on Division, 202. House in Committee and Bill (No. 152) added, 218. Third reading, 220. Royal Assent, 246. (24 George V, c. 26.)
2. Bill (No. 152) to amend, introduced, 185. Second reading, 203. House in Committee and added to Bill (No. 140), 218.

## LIQUOR CONTROL BOARD, THE:

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3. Question (No. 51) as to sales of wine in 1932, 1933, 85.
4. Question (No. 140) as to companies carrying insurance for, agencies and premiums. Return ordered, 216.
5. Return to an Order of the House of April 13th, 1933, showing from what firms in Scotland the Board purchased liquor and who were the local representatives, 32. (*Sessional Paper No. 37.*)
6. Return to an Order of the House of April 3rd, 1933, showing as to granting of Brewers' Warehouse Licenses in certain centres and payment of operating costs, 32. (*Sessional Paper No. 38.*)
7. Resolution calling for dismissal of Commissioners for failure to supply information regarding sales at Liquor Stores at Woodstock, Brantford and Paris. Withdrawn, 240.
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## LOAN CORPORATIONS, REGISTRAR OF:

Report for 1933, 207. (*Sessional Paper No. 7.*)

## LOAN AND TRUST CORPORATION ACT, THE:

Bill (No. 79) to amend, introduced, 64. Second reading, 106. House in Committee, 130. Third reading, 209. Royal Assent, 245. (24 George V, c. 27.)

## LOAN, GOVERNMENT:

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## LOANS ACT, THE PROVINCIAL:

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## LONG, E. G., K.C.:

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## LUMBERING OPERATIONS:

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Bill (No. 148) to amend, introduced, 148. Second reading, 187. House in Committee, 206. Third reading, 210. Royal Assent, 246. (24 George V, c. 28.)

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## MAGUIRE, C. ALFRED:

1. Question (No. 56) as to whether he carries any Hydro-Electric Insurance, 82.
2. Question (No. 97) as to any connection with Montreal office of Royal Insurance Company, 105.

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## MARKETING ACT, 1934, THE ONTARIO:

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2. Bill (No. 96) to amend, introduced, 78. Second reading, 105. House in Committee, 131. Third reading, 139. Royal Assent, 245. (24 George V, c. 29.)

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## 8. Currey, Matthew:

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## 9. Fish and Game, Committee on:

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## 13. Legal Bills, Sub-Committee of:

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## 14. Lieutenant-Governor:

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## 19. McCaughrin, Daniel:

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## 20. Northern Development Fund:

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## 21. Private Bills, Committee on:

(a) Motion to add name of Mr. Lancaster to, 43.

(b) Motion to extend time for presenting reports, 118, 132, 192.

## 22. Supply, Committee on:

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## 23. Temperance Education in Schools:

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## 24. Ways and Means, Committee on:

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## 25. Motions for Returns:

See *Returns*.

## MOTORCYCLES:

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## MOUNT MCKAY AND KAKABEKA FALLS RAILWAY COMPANY:

Petition for an Act respecting, laid on Table, 9. Read and received, 12. Reported by Committee on Standing Orders, 20. Bill (No. 1) introduced and referred to Committee on Private Bills, 21. Reported, 41. Second reading, 46. House in Committee, 49. Third reading, 64. Royal Assent, 242. (24 George V, c. 84.)

## MUNICIPAL ACT, THE:

1. Bill (No. 59) to amend, introduced, 39. Second reading and referred to Committee on Municipal Law, 53. Not reported, 146.
2. Bill (No. 71) to amend, introduced, 51. Second reading and referred to Committee on Municipal Law, 75. Incorporated in Bill (No. 144), 146.
3. Bill (No. 75) to amend, introduced, 55. Second Reading and referred to Committee on Municipal Law, 76. Not reported, 146.
4. Bill (No. 80) to amend, introduced, 64. Second Reading and referred to Committee on Municipal Law, 76. Incorporated in Bill (No. 144), 146.
5. Bill (No. 92) to amend, introduced, 72. Second reading and referred to Committee on Municipal Law, 92. Not reported, 146.
6. Bill (No. 93) to amend, introduced, 77. Second reading and referred to Committee on Municipal Law, 116. Incorporated in Bill (No. 144), 146.
7. Bill (No. 94) to amend, introduced, 77. Second reading and referred to Committee on Municipal Law, 92. Incorporated in Bill (No. 144), 146.
8. Bill (No. 97) to amend, introduced, 79. Second reading and referred to Committee on Municipal Law, 92. Incorporated in Bill (No. 144), 146.
9. Bill (No. 99) to amend, introduced, 79. Second reading and referred to Committee on Municipal Law, 93. Incorporated in Bill (No. 144), 146.
10. Bill (No. 100) to amend, introduced, 84. Second reading and referred to Committee on Municipal Law, 105. Incorporated in Bill (No. 144), 146.
11. Bill (No. 102) to amend, introduced, 84. Motion for Second reading defeated, 93.
12. Bill (No. 103) to amend, introduced, 88. Second reading and referred to Committee on Municipal Law, 103. Incorporated in Bill (No. 144), 146.
13. Bill (No. 107) to amend, introduced, 89. Second reading and referred to Committee on Municipal Law, 103. Not reported, 146.
14. Bill (No. 109) to amend, introduced, 89. Second reading and referred to Committee on Municipal Law, 105. Incorporated in Bill (No. 144), 146.
15. Bill (No. 113) to amend, introduced, 95. Second reading and referred to Committee on Municipal Law, 116. Incorporated in Bill (No. 144), 146.

## MUNICIPAL AMENDMENT ACT, 1934, THE:

Bill (No. 144) introduced, 147. Second reading, 187. House in Committee, 205. Third reading, 210. Royal Assent, 246. (24 George V, c. 34.)

## MUNICIPAL BOARD ACT, THE ONTARIO:

See *Ontario*.

## MUNICIPAL LAW, COMMITTEE ON:

1. Authorized, 9. Appointed, 16.
2. Report, 146.

## MUNRO, MR.:

Charges made by, against J. R. Gunning, referred for investigation by Committee on Public Accounts, 119. Report on, 195.

## MURPHY, MR. (ST. PATRICK):

1. Added to Sub-committee of Committee on Legal Bills to consider amendments proposed to Judicature Act and Division Courts Act, 38.
2. Added to Sub-committee of Committee on Legal Bills to consider proposed amendments to Jurors' Act, 38.

**M**CCAUGHRIN, DANIEL:

Committee on Legal Bills instructed to investigate charges made by, 18. Report, 157. Report adopted on Division, 181-2.

## MCCLURE, MATTHEW:

See *Port Sydney, Village of*.

## MCCUTCHEON, DR. J. M.:

1. Question (No. 1) as to his salary and duties, 26.
2. Question (No. 4) as to expenses incurred by, during trip to Western Provinces, 27.
3. See also *Civil Service Commissioner*.

## McFADYEN:

See *Lindsay*.

## McGAFFEY, E. E. W.:

See *Lindsay*.

## McIRVINE, TOWNSHIP OF:

Petition for an Act respecting, laid on Table, 10. Read and received, 14. Reported by Committee on Standing Orders, 33. Bill (No. 32) introduced and referred to Committee on Private Bills, 35. Reported, 76. Second reading, 83. House in Committee, 87. Third reading, 94. Royal Assent, 244. (24 George V, c. 83.)

## NESBITT, MR.:

1. Added to Committee on Labour, 147.
2. His motion *re* Contracts and Tenders, 131.

## NEWTON-WHITE, MR.

Question (No. 54) as to his employment in connection with land settlement work in Northern Ontario, 81.

## NEW TORONTO, TOWN OF:

Petition for an Act respecting, laid on Table, 10. Read and received, 13. Reported by Committee on Standing Orders, 21. Bill (No. 15) introduced and referred to Committee on Private Bills, 22. Withdrawn, 192.

## NIPIGON POWER DEVELOPMENT:

See *Hydro*.

## NORTHERN DEVELOPMENT ACT, THE:

1. Bill (No. 139) to amend, introduced, 138. Second reading, 186. House in Committee, 205. Third reading, 210. Royal Assent, 246. (24 George V, c. 35.)
2. Report of operations under, for year ending October 31st, 1933, 109. (*Sessional Paper No. 47.*)
3. Return of Orders-in-Council made under authority of, 54. (*Sessional Paper No. 41.*)

## NORTHERN DEVELOPMENT, DEPARTMENT OF:

1. Question (No. 30) as to operation, construction and cost of ferry from La Cloche Island to Little Current, 47.
2. Question (No. 57) as to contract entered into with Crawley and McCracken, Limited, for feeding and housing men on Government work, 241.



## NORTHERN DEVELOPMENT ROAD DEBT:

Question (No. 3) as to amount of Debt Retirement Sinking Fund applied to, 27.

## NORTHERN ONTARIO APPROPRIATION ACT, 1934:

Bill (No. 119) introduced, 110. Resolution introduced, Lieutenant-Governor's approval intimated, passed through Committee, 106. Second reading, 143. House in Committee, 189. Third reading, 210. Royal Assent, 245. (24 George V, c. 36.)

## NORTHERN POWER CORPORATION:

See *Hydro-Electric*.

## NORTHERN QUEBEC POWER CORPORATION:

See *Hydro-Electric*.

## NORTH YORK, TOWNSHIP OF:

Petition for an Act respecting, laid on Table, 10. Read and received, 14. Reported by Committee on Standing Orders, 35. Bill (No. 21) introduced and referred to Committee on Private Bills, 37. Reported, 77. Second reading, 83. House in Committee, 87. Third reading, 94. Royal Assent, 243. (24 George V, c. 85.)

## NORWOOD:

See *Highways*.

## NOVA SCOTIA, BANK OF:

See *Government Loan*.

## OAKLEY, GEORGE:

Question (No. 116) as to whether installation of welded steam pipe in his plant on Carlaw Avenue was approved by the Boiler Inspection Branch, 142.

## OJIBWAY, TOWN OF:

Petition for an Act respecting, laid on Table, 10. Read and received, 13. Reported by Committee on Standing Orders, 21. Bill (No. 8) introduced and referred to Committee on Private Bills, 22. Reported, 76. Second reading, 83. House in Committee, 87. Third reading, 94. Royal Assent, 243. (24 George V, c. 86.)

## OLD AGE PENSIONS:

1. Referred to in Speech from Throne, 4.
2. Question (No. 106) as to number of pensions reduced or cancelled last fiscal year, 140.
3. Question (No. 135) as to whether, amount of \$1,248,436.44 owing to by Dominion Government, Municipalities and other Provinces, has been paid, 200.

## ONTARIO ATHLETIC COMMISSION:

See *Athletic*.

## ONTARIO HOSPITALS:

See *Hospitals*.

## ONTARIO MARKETING ACT, THE:

See *Marketing*.

## ONTARIO MARKETING BOARD:

See *Marketing*.

## ONTARIO MUNICIPAL BOARD:

Report for year ending December 31st, 1933, 192. (*Sessional Paper No. 24.*)

## ONTARIO MUNICIPAL BOARD ACT, THE:

Bill (No. 126) to amend, introduced, 124. Second reading, 186. House in Committee, 218. Third reading, 220. Royal Assent, 246. (24 George V, c. 39.)

## ONTARIO POWER SERVICE CORPORATION:

Question (No. 108) as to whether all obligations in connection with construction of, have been paid, 140.

## ONTARIO RESEARCH FOUNDATION:

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## ONTARIO SAVINGS BANK, THE:

See *Savings Bank*.

## ONTARIO VETERINARY COLLEGE:

See *Veterinary*.

## ORDE, MR. JUSTICE:

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## ORILLIA, ONTARIO HOSPITAL AT:

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## ORILLIA TO BARRIE HIGHWAY:

See *Highways*.

## ORILLIA, TOWN OF:

Petition for an Act respecting, laid on Table, 12. Read and received, 20. Reported by Committee on Standing Orders, 34. Bill (No. 35) introduced and referred to Committee on Private Bills, 36. Reported, 108. Second reading, 123. House in Committee, 129. Third reading, 139. Royal Assent, 244. (24 George V, c. 87.)

## OSBORNE, TOWNSHIP OF:

Question (No. 69) as to whether timber operations on license to the Spanish River Pulp and Paper Mills in, were conducted to satisfaction of Minister, 150.

## OSHAWA, CITY OF:

Petition for an Act respecting, laid on Table, 9. Read and received, 13. Reported by Committee on Standing Orders, 33. Bill (No. 3) introduced and referred to Committee on Private Bills, 35. Reported, 50. Second reading, 53. House in Committee, 63. Third reading, 64. Royal Assent, 242. (24 George V, c. 88.)

## OTTAWA, CITY OF:

Petition for an Act respecting, laid on Table, 29. Read and received, 33. Reported by Committee on Standing Orders, 67. Bill (No. 39) introduced and referred to Committee on Private Bills, 68. Reported, 108. Second reading, 123. House in Committee, 129. Third reading, 139. Royal Assent, 244. (24 George V, c. 89.)

**P**ARK RANGERS:

Motion for a Return of all dismissals and superannuation of, from Algonquin Park since 1930, 143. Returned, 207. (*Sessional Paper No. 55.*)

## PARLIAMENT BUILDING, EAST BLOCK:

See *East Block*.

## PARTNERSHIP REGISTRATION ACT, THE:

Bill (No. 62) to amend, introduced, 42. Second reading, 105. House in Committee, 130. Third reading, 139. Royal Assent, 245. (24 George V, c. 40.)

## PATTERSON, SHERIFF:

See *Lindsay*.

## PATTON, T. J.:

Question (No. 122) as to his employment by the Government, 142.

## PAWNBROKERS ACT, THE:

Bill (No. 45) to amend, introduced, 95. Second reading, 117. House in Committee, 131. Third reading, 139. Royal Assent, 244. (24 George V, c. 41.)

## PENAL INSTITUTIONS:

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## PENSIONS, OLD AGE:

See *Old Age*.

## PIC RIVER PULP AND TIMBER LIMIT:

Question (No. 67) as to amount of pulpwood cut on, 1926 to 1933, 149.

## PIERCE, H. S.

Question (No. 104) as to certain payments to, 121.

## PIERDON, W. G.:

See *Hydro*.

## PILKEY, WILLIAM P.:

See *McIrvine, Township of*.

## PIPEFITTERS, ACT RESPECTING:

Bill (No. 136) introduced, 138. Second reading and referred to Committee on Labour, 203. Not reported, 208.



## POLICE, THE PROVINCIAL:

Report of Commissioner for year ending October 31st, 1933, 148. (*Sessional Paper No. 51.*)

## POPE, W. W.:

See *Hydro*.

## PORT ARTHUR, CITY OF:

Petition for an Act respecting, laid on Table, 20. Read and received, 23. Reported by Committee on Standing Orders, 33. Bill (No. 34) introduced and referred to Committee on Private Bills, 35. Reported, 76. Second reading, 83. House in Committee, 87. Third reading, 94. Royal Assent, 244. (24 George V, c. 90.)

## PORT SYDNEY, VILLAGE OF:

Petition for an Act of Incorporation laid on Table, 10. Read and received, 14. Reported by Committee on Standing Orders, 21. Bill (No. 19) introduced and referred to Committee on Private Bills, 22. Petition in opposition received, 41. Reported, 76. Second reading, 83. House in Committee, 87. Third reading, 94. Royal Assent, 243. (24 George V, c. 91.)

## POWER COMMISSION ACT, THE:

Bill (No. 142) to amend, introduced, 146. Second reading, 216. House in Committee, 222. Third reading, 239. Royal Assent, 246. (24 George V, c. 42.)

## POWER SERVICE CORPORATION, THE ONTARIO:

See *Ontario*.

## PRESCOTT, TOWN OF:

Petition for an Act respecting, laid on Table, 10. Read and received, 13. Reported by Committee on Standing Orders, 21. Bill (No. 7) introduced and referred to Committee on Private Bills, 22. Reported, 42. Second reading, 46. House in Committee, 49. Third reading, 64. Royal Assent, 243. (24 George V, c. 92.)

## PRINTING, COMMITTEE ON:

1. Authorized, 9. Appointed, 16.

2. Reports, 38, 124.

## PRISONS AND REFORMATORIES:

Report for year ending October 31st, 1933, 148. (*Sessional Paper No. 18.*)

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1. Authorized, 9. Appointed, 15.
2. Reports, 41, 50, 54, 76, 88, 108, 192, 207.
3. Name of Mr. Lancaster added, 43.
4. Time for presenting reports extended, 108, 118, 132, 193.

PRIVILEGES AND ELECTIONS, COMMITTEE ON:

1. Authorized, 9. Appointed, 15.

PROPERTY ACT, CONVEYANCING AND LAW OF:

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PROROGATION OF THE HOUSE, 250.

PROVINCIAL ELECTIONS (PUBLIC MEETINGS) ACT, 1934, THE:

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PROVINCIAL LOANS ACT, THE:

Bill (No. 58) to amend, introduced, 26. Second reading, 40. House in Committee, 46. Third reading, 64. Royal Assent, 244. (24 George V, c. 43.)

PROVINCIAL PAPER MILLS, LIMITED:

Question (No. 67) as to amount of pulpwood cut by, on limit held under agreement of February 26th, 1926, 149.

PROVINCIAL PARKS ACT, THE:

Bill (No. 151) to amend, introduced, 185. Second reading, 204. House in Committee, 221. Third reading, 239. Royal Assent, 246. (24 George V, c. 44.)

PUBLIC ACCOUNTS:

1. Surplus of Revenue over Expenditure forecast in Speech from Throne, 5.
2. Accounts for year ending October 31st, 1933, presented, 77. (*Sessional Paper No. 1.*)

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1. Authorized, 9. Appointed, 15.
2. Public Accounts for year ending October 31st, 1933, referred to, 77.

PUBLIC ACCOUNTS, COMMITTEE ON—*Continued*

3. Charges by Mr. Munro against J. R. Gunning, referred to, 119.
4. Granted permission to sit concurrently with House, 184.
5. Reports, 194, 219.

## PUBLIC AUTHORITIES PROTECTION ACT, THE:

Bill (No. 48) to amend, introduced, 11. Second reading, 18. House in Committee, 24. Third reading, 121. Royal Assent, 244. (24 George V, c. 45.)

## PUBLIC COMMERCIAL VEHICLES ACT, 1934, THE:

1. Bill (No. 43) introduced, 91. Second reading, 106. House in Committee, 190. Third reading, 210. Royal Assent, 244. (24 George V, c. 46.)
2. Question (No. 112) as to number of Inspectors appointed under, names and activities, 198.

## PUBLIC HEALTH ACT, THE:

See *Health*.

## PUBLIC HOSPITALS:

See *Hospitals*.

## PUBLIC LIBRARIES ACT, THE:

Bill (No. 98) to amend, introduced, 79. Second reading, and referred to Committee on Municipal Law, 93. Not reported, 146.

## PUBLIC PARKS ACT, THE:

Bill (No. 110) to amend, introduced, 89. Second reading, and referred to Committee on Municipal Law, 106. Reported, 146. House in Committee, 183. Third reading, 210. Royal Assent, 245. (24 George V, c. 48.)

## PUBLIC SERVICE SUPERANNUATION BOARD:

Report for year ending October 31st, 1933, 117. (*Sessional Paper No. 50.*)

## PUBLIC TRUSTEE:

Question (No. 47) as to name, staff and fees, etc., 1931-32-33, 96.

## PUBLIC VEHICLES ACT, THE:

Bill (No. 157) to amend, introduced, 197. Second reading, 216. House in Committee, 222. Third reading, 239. Royal Assent, 247. (24 George V, c. 49.)

## PUBLIC WORKS, MINISTER OF:

Report for year ending October 31st, 1933, 107. (*Sessional Paper No. 8.*)

## PULPWOOD:

Question (No. 81) as to purchases of, from outside the Province and from settlers, 101.

## PULPWOOD CONSERVATION ACT, 1929, THE:

Question (No. 63) as to what pulp and paper companies have reported under Section 3 thereof, 148.

## QUESTIONS:

1. As to salary paid to Dr. J. M. McCutcheon, Civil Service Commissioner, during years 1930, 1931, 1932, 1933, 26.
2. As to recommendation for the office of Sheriff of Simcoe County, 104.
3. As to amount of debt retirement sinking fund that applies to Provincial Highway debt, 27.
4. As to total expenses of the Budgeting Committee comprising H. J. Chater, Dr. J. M. McCutcheon and John T. White, K.C., during their tour of the Western Provinces, 27.
5. As to cost of erecting barn and stables on the farm at Ontario Hospital, Orillia, 29.
6. As to what sums were paid and to what persons and companies were such sums paid by the Tourist and Publicity Bureau in 1929, 1930, 1931, 1932 and 1933 for advertising, pamphlets, publicity, etc.; also, as to salary and travelling expenses paid Mr. C. C. Hele, 27.
7. As to recommendation *re* appointment of Simcoe County Jail Warden, 185.
8. As to what official or officials were responsible for delay in making certain Orders of the House of last Session. Withdrawn.



QUESTIONS—*Continued*

9. As to whether Ralph S. Carman, Superintendent of Rondeau Park, has tendered his resignation, 29.
10. As to supply of food at Rondeau Park camps, 30.
11. As to cost of T. & N.O. extension from Cochrane to Moosonee, 30.
12. As to whether the bridge on Highway No. 3 just west of Blenheim was built by contract, 30.
13. As to land purchased by the Department of Highways from Mrs. S. G. Kitchen, 30.
14. As to what sum of money was paid to Mr. W. N. Tilley, K.C., or any member of the firm of Tilley, Johnson, Thompson and Parmenter, Barristers, or the firm itself during the last fiscal year by: (a) Departments of the Government; (b) Hydro-Electric Power Commission; (c) T. & N.O. Railway, 56.
15. As to what sum of money was paid to E. G. Long, Esq., K.C., for legal opinion regarding the last Provincial Loan, 31.
16. As to the number of telephone calls and cable messages from the Government to the High Commissioner in London, England, 47.
17. As to the total sum of money received from the sale of power generated at the Abitibi Canyon development during the last fiscal year, 56.
18. As to number of motor boats or other boats, owned by or under the control of the Ontario Department of Lands and Forests and use of same. Lapsed.
19. As to identity of the various Directors of the Ontario Department of Health during the years 1930, 1931, 1932, and 1933, and yearly expenditure, 79.
20. As to the identity of the members of the Ontario Apprenticeship Board and what salary does each receive, 44.
21. As to what remuneration, gratuity or expenses were allowed to the members of the Soldiers' Aid Commission during the years 1930, 1931, 1932 and 1933, 40.
22. As to what orders for the destruction or removal of buildings have been made by the Fire Marshal of Ontario during the years 1930, 1931, 1932, and 1933, 84. Returned, 90.

QUESTIONS—*Continued*

23. As to the total cost of flying operations for the Ontario Forestry Branch, 57.
24. As to who had the contract for building the highway commencing at the subway at Norwood and extending to about 2 miles east of Havelock, 119.
25. As to whether anyone was engaged by the Government in an advisory capacity *re* the recent loan of \$40,000,000, 51.
26. As to whether the cost of resurfacing, repairs, replacements or works of any nature on the Provincial Highway System has been raised by borrowing money and charging same to Capital Account where previous capital charge is still in existence, 77.
27. As to amount of money appropriated for and expended by the Ontario Marketing Board, 44.
28. As to cost of keeping the highway in shape for winter driving during the years 1931, 1932, and 1933, between Barrie and Orillia, 72.
29. As to the total insurance carried on Government Buildings outside the City of Toronto, 96. Returned, 117.
30. As to the cost of the ferry "Jacqueline" in use from LaCloche Island to Little Current, 47.
31. As to number of tenders received by the Department of Lands and Forests in connection with the sale of Timber Area M17, Kenora District, July 14th, 1927; File No. 59722, 57.
32. As to what sums of money were paid to Clark Locke, Ltd., by the Government during 1933, 52.
33. As to what amount of capital account or bonds exclusive of Hydro, T. & N.O. Railway, and Agricultural Development Board have been actually paid, and not refunded in the last five fiscal years, 58.
34. As to number of tenders received by the Department of Lands and Forests in connection with the sale of timber area north of McGregor Township, east of Onion Lake, District of Thunder Bay, November 19th, 1928; File No. 16064, 72.
35. As to how many square miles of timber, tie, or pulpwood lands have been licensed, leased or sold to the Shevlin-Clarke Company, Ltd., since November 1st, 1926, for which no other tender than that of the above company was received, 59.

QUESTIONS—*Continued*

36. As to how many heads of families have been placed on homestead locations in Northern Ontario under the auspices of "The Relief Land Settlement Scheme" in co-operation with the Dominion Government and the various municipalities of Ontario, 79.
37. As to the cost of labour, exclusive of that performed by members of the Department's regular staff, used in building, finishing and equipping the fireboat "Wasp" used on Lake Timagami last summer, 60.
38. As to what quantities of pulpwood have been cut from certain pulpwood concessions for each of the years 1926 to 1933 inclusive, 96.
39. As to number of loans made to farmers by the Agricultural Development Board during the last fiscal year, 52.
40. As to whether the Ontario Marketing Board had anything to do with the car of cheese loaded at the Oxford Fruit Co-operative at Woodstock in October, 1932, 52.
41. As to how many soldiers were sent to Stratford during the recent strike, 80.
42. As to the identity of the purchasers of the bonds of the recent Ontario Government loan of \$40,000,000, 60.
43. As to what amounts are owing to the Ontario Government of amusement taxes during 1930, 1931, 1932 and 1933, and names of those in arrears, 61.
44. As to salaries and travelling expenses allowed each member of the Workmen's Compensation Board in 1930, 1931, 1932 and 1933, 85.
45. As to salaries and expenses and allowances paid to members of the Ontario Research Foundation, 75. Returned, 90.
46. As to names of Lessors of stores of the Liquor Control Board of Ontario and the amount of the annual rental paid in respect to each store, 110.
47. As to the identity of the Public Trustee for the Province of Ontario, his staff, and salaries, 96.
48. As to how many appointments were made upon the recommendation or approval of the Ontario Civil Service Commissioner in 1930, 1931, 1932 and 1933, and how many without his recommendations, 112.

QUESTIONS—*Continued*

49. As to the identity of the Crown Timber Agents and their remuneration during 1931, 1932 and 1933, 98.
50. As to the number of pupils in attendance at the Northern Academy at Monteith, cost of operation and revenue, 53.
51. As to how many gallons of wine were sold in 1932-33, 85.
52. As to whether the Abitibi Power and Paper Company, Limited, holds the undeveloped water power of the Long Sault Rapids on the Abitibi River under license, lease or grant from the Crown, 73.
53. As to whether Edward Hearn of Grimsby, Ontario, located as a settler on Lot 24, Concession 19, Township of Cameron, on or about August 12th, 1933, 81.
54. As to during what period or periods of the last twelve months has Mr. Newton-White been employed by the Government in connection with land settlement work in Northern Ontario, 81.
55. As to whether licensees of timber limits or holders of pulpwood concessions are permitted to transfer, assign, pledge or convey to others the licenses, or concessions as security for loans. Withdrawn.
56. As to whether the Hydro-Electric Power Commission has any property insured with Maguire and Connon, 82.
57. As to whether the Department of Northern Development entered into a contract with Crawley and McCracken about the year 1931 for the feeding and housing of men doing Government work, 241.
58. As to the total cost of building and furnishing the new Assembly Hall at the Ontario Hospital, Hamilton, 74.
59. As to when was the last contract made between the Hydro-Electric Power Commission and the Village of Stirling, Ontario, 74.
60. As to quantity of road building material purchased by the Department of Highways from the southerly 50 acres of Lot 27, Concession 2, south of Dundas Street, Toronto Township, from January 1st, 1933, up to the present time, 74.
61. As to the number of (a) Loans; (b) Grants that have been made by the Government during the years 1931, 1932 and 1933 to cold storage warehouses, 82.



QUESTIONS—*Continued*

62. As to the present salary of each of the following officials on the staff of the Hydro-Electric Power Commission: (a) Mr. F. A. Gaby, Chief Engineer; (b) Mr. I. B. Lucas, Solicitor; (c) Mr. W. W. Pope, Secretary; (d) Dr. T. H. Hogg, Chief Hydraulic Engineer; (e) E. T. J. Brandon, Chief Electric Engineer; (f) R. T. Jeffrey, Chief Municipal Engineer; (g) W. R. Robertson, Chief of the Railway Division; (h) H. C. Don Carlos, Chief Operating Engineer; (i) W. G. Pierdon, Chief Accountant; (j) A. E. Davidson, Chief of Transmission and Distribution; (k) W. P. Dobson, Chief of Testing and Research Department; (l) Mr. P. O. Salter, Engineer, Department Chief; (m) Mr. A. B. Trimble, Engineer, Department Chief; (n) Mr. A. V. White, Engineer, Department Chief. Lapsed.
63. As to what pulp and/or paper companies have supplied the Government with the information required of them under Clause 9, Section 3, of The Pulpwood Conservation Act, 1929, 148.
64. As to the total number of barristers who were named by the Government as eligible to receive patents as King's Counsel in 1933, 113.
65. As to the share of the Province of all money spent for Unemployment Relief Works, including all direct relief for each of the fiscal years ending October 31st, 1930, 1931, 1932 and 1933, 86.
66. As to what amount of each issue of the recent \$40,000,000 loan was allotted to or purchased by the following: (a) Bank of Montreal, (b) Bank of Nova Scotia, (c) F. W. Kerr and Company (Investment Bankers), 75.
67. As to how many cords of pulpwood have, in each case, been cut on the following pulp concessions for each year since they were granted by the Crown: (a) The Long Lake Pulp and Timber Limit, (b) Provincial Paper Mills, Limited; also from the Pic River Pulp and Timber Limit and Black Sturgeon River Pulp and Timber Limit for each of the years 1926 to 1933, inclusive, 149.
68. As to whether an Order-in-Council was passed on or about February 6th, 1917, whereby there was set apart for the exclusive right of a company then operating a pulp and paper mill at Sault Ste. Marie to cut pulpwood on an area of 7,184 square miles with a coast line of over 200 miles on Lake Superior, 125.
69. As to whether there are any cut-over areas on the Crown Lands, cut since September 1st, 1927, and prior to September 1st, 1933, on which the pulpwood, tie and sawing operations have not been conducted to the "satisfaction of the Minister," 150.
70. As to how many retail gasoline vendors are in arrears in paying the gasoline tax to the Government, 197.



QUESTIONS—*Continued*

71. As to the total amount of gasoline tax revenue received by the Province during the last fiscal year and rebates granted, 91.
72. As to how many companies and individuals handling gasoline were paid, or permitted to retain, commissions for collecting the gasoline tax during the last fiscal year. Withdrawn.
73. As to what sums of money have been paid to W. N. Tilley, K.C., or to any member of the firm of Tilley, Johnson, Thompson and Parmenter, or the firm itself, since the close of the last fiscal year by (a) the Government, (b) the Hydro-Electric Power Commission of Ontario, 120.
74. As to what is being done to clear the highway and highway approaches between Lancaster and Hawkesbury, 99.
75. As to what did the Department of Public Highways pay per barrel for cement used on highways for years 1930-31-32-33; also what quantity was used, 99.
76. As to how many first-year apprentices were enrolled under The Apprenticeship Act during the year 1933 and cost of administration, 82.
77. As to who put in the lowest tender on the Norwood Subway, 100.
78. As to how many married men are working in Government Relief camps at the present time; also how many single men, 86.
79. As to how many citizens of Ontario were unemployed on January 1st, 1934, 91.
80. As to whether the Department of Public Works or Colonization Roads Branch constructed a bridge over the Claire River, in the Township of Sheffield, any time during the years 1922 to 1924, 91.
81. As to what quantities of pulpwood were purchased or procured from sources outside of the Province of Ontario and brought into Ontario for each of the years 1919 to 1933, inclusive, by the Abitibi Power and Paper Company, Limited, for use in consumption in its Iroquois Falls Mills, 101.
82. As to by what amounts are the statements of Revenue and Expenditure, for the last fiscal year, reduced by the adjustment or elimination of cross-entries, 113.
83. As to the date on which Messrs. A. J. L. Haskell, H. J. Coon and F. W. Kerr were first consulted or engaged in an official advisory capacity *re* the recent loan of \$40,000,000, 92.

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84. As to how many square miles of timber, tie or pulpwood lands have been licensed, leased or sold to J. A. Mathieu, Limited, since November 1st, 1926, for which no other tender than that of the above company was received, 126.
85. As to whether E. E. Wallace, at any time made application for certain timber areas in the District of Kenora, 104.
86. As to whether the Hydro-Electric Power Commission acting for the Government has contracted to sell power to any other companies other than Northern Power Corporation and the Northern Quebec Power Corporation, 150.
87. As to what contracts for power have been entered into between the Hydro-Electric Power Commission acting for the Government and the Northern Ontario Power Corporation and the Northern Quebec Power Corporation, 120.
88. As to the amount of interest paid to the Government by the T. & N.O. in 1930, 1931, 1932 and 1933, 92.
89. As to how much has each Minister received for travelling expenses each year during the last five years, 127.
90. As to the identity of property owners on Highway No. 19, between Woodstock and Tavistock, who received pay since road was taken over by the Province, 102.
91. As to the total cost of drainage on Provincial Highway No. 19, between Woodstock and Tavistock, 102.
92. As to what amount was paid to the Province by the Ontario Savings Bank in 1933, 114.
93. As to what fees and travelling expenses have been paid Peter White, K.C., or the firm of which he is a member, by the Ontario Government or any Department thereof from 1925 to 1933 both years inclusive, 151.
94. As to what remuneration or gratuities were paid in respect to the Ontario Hydro-Electric Power Commission enquiry to (a) Hon. Mr. Justice Orde, (b) Hon. Mr. Justice Middleton, (c) Hon. Mr. Justice Riddell; (d) Hon. Mr. Justice Sedgewick, 102.
95. As to date of appointment of Henry M. Robbins as Deputy Minister of Hospitals, 104.
96. As to what fees and payment have been made to Frank Regan for legal services by all Departments of the Ontario Government during 1931, 1932 and 1933, 139.

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97. As to whether Mr. C. Alfred McGuire, Hydro-Electric Commissioner, or the firm of McGuire and Connon, have any connection with the Montreal Office of the Royal Insurance Company, of Liverpool, England, 105.
98. As to what sums were paid to Strachan Johnston, K.C., and to W. N. Tilley, K.C., and to their firms or members of their firms, during the years 1928, 1929, 1930, 1931, 1932, and 1933, by the Ontario Government, the Ontario Hydro-Electric Power Commission or any Department of the Government for legal services, 210.
99. As to by what amounts are the following financial statements reduced by the adjustment or elimination of cross-entries: (a) Ordinary Revenue (less interest); (b) Ordinary Expenditure (less interest); (c) Interest Revenue; (d) Interest Expenditure; (e) Capital Revenue; (f) Capital Expenditure, 114.
100. As to what particular properties of the Hydro-Electric Power Commission was the money used on that was made available by special warrant passed October 31st, 1933, "To pay for losses on the operation of Northern Ontario properties of the Hydro-Electric Power Commission," 152.
101. As to the Chairman and members of the Minimum Wage Board and their salaries, etc., 121.
102. As to what contracts for primary power have been entered into by the Hydro-Electric Power Commission from the Nipigon developments, with the paper industry, 139.
103. As to when did F. E. Titus enter the Government service, 115.
104. As to place of residence of H. S. Pierce who received burial fees from Cobourg Hospital, 121.
105. As to when was Sheriff Vrooman appointed Sheriff at Lindsay, 152.
106. As to how many Old Age Pensioners had their pensions cancelled or reduced and what was the total amount of such reductions for the last fiscal year, 140.
107. As to how many Mothers' Allowances had their allowances cancelled or reduced and what was the total amount of such reductions for the last fiscal year, 198.
108. As to whether all the creditors of the Ontario Power Service Corporation who had contracts for the development of the plant have been paid, 140.

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109. As to whether the Commissioners or officials of the Hydro-Electric Commission are permitted to carry on private business in addition to their public duties, 212.
110. As to the total cost of the Leaside Transformer Station to date, 140.
111. As to whether the Hydro-Electric Power Commission floated a loan in February or March, 1934, 141.
112. As to how many inspectors were appointed under The Public Commercial Vehicles Act in 1932 and 1933, 198.
113. As to whether the Government is paying the legal costs and expenses of defendant, Hunter vs. Medcalf, now pending in the Courts, 128.
114. As to time of completion of installation of steamfitting and plumbing work as per contract in East Block and who was the Inspector, 141.
115. As to the total revenue of the Boiler Inspection Branch in each of the years 1929-30-31-32 and 33, 141.
116. As to approval of designs or drawings and specifications by the Steam Boiler Inspection Branch covering welded steampipe installation in Geo. Oakley plant at Carlaw Avenue, Toronto, 142.
117. As to whether any accusation or charge has been made to the Honourable the Minister of Labour, or the Prime Minister, that registered boiler design No. 2229-5 is based on registered design No. 2008-5, 153.
118. As to amount received by each Minister of the Drury Administration for travelling expenses during their four years' tenure of office, 128.
119. As to the cost of operating the Trenton Motion Picture Studio during the fiscal year of 1933, 153.
120. As to what position does Mr. S. Kirk hold at the Ontario Agricultural College, Guelph, 142.
121. As to the amount of timber dues owing to the Government by the Abitibi Company at the time it went into liquidation, 153.
122. As to whether T. J. Patton of North Bay is employed by the Government, 142.

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123. As to what amount of capital charges or bonds applying to the net debt of Province have been actually paid and not refloated or absorbed in other loans as they became due during each of the fiscal years ending October 31st, 1931, 1932 and 1933, 198.
124. As to whether an Order-in-Council was passed rescinding the decrease of salaries of Civil Servants put in effect on April 1st, 1933, 154.
125. As to date of the Government signing an agreement to purchase radium from the Radium Belge Company of New York, 185.
126. As to whether the Department of Lands and Forests exercises control over the cutting of pulpwood on pulp concessions with respect to the amount to be cut by the concessionaire each year, 154.
127. As to what year did the Ontario Hydro-Electric Commission start serving the Village of Sydenham with electric power, 199.
128. As to what amount has been paid by the Government for insurance to Russell and Russell Limited, for each of the following years: 1930, 1931, 1932 and 1933, 154.
129. As to what connection, if any, has the Central Supply Warehouse with the Provincial Government, 199.
130. As to what is the rate per horsepower for Hydro-Electric power in Toronto, London, Ottawa, Hamilton and Peterborough, 213.
131. As to what is the cost to the Hydro-Electric Power Commission of installing the water heater recently introduced by them in the average home, and number installed, 200.
132. As to how many individuals make up the staff of the Danforth and Woodbine Branch of the Province of Ontario Savings Office, 186.
133. As to what has been the total expenditure to date in connection with the Girls' Training School at Galt including purchase of land, construction and furnishing, 213.
134. As to whether the amount, \$149,687.97, appearing in the statement Accounts Receivable, page 37, Public Accounts, as "Mothers' Allowance, Municipalities," has been paid in full to the Province, 200.
135. As to whether the amount of \$1,248,436.44, appearing in statement Accounts Receivable, page 37, Public Accounts, as "Old Age Pensions, Dominion Government, Municipalities and other Provinces," has been paid in full to the Province, 200.



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136. As to whether the amount of \$2,485,257.37, appearing in statement Accounts Receivable, page 37, Public Accounts, as "Unemployment Relief, Dominion Government," has been paid in full to the Province, 201.
137. As to whether the amount of \$30,893.35, appearing in statement Accounts Receivable, page 37, Public Accounts, as "Back-to-the-Land Movement, Dominion Government," has been paid in full to the Province, 201.
138. As to whether the amount of \$407,926.04, appearing in statement Accounts Receivable, page 37, Public Accounts, as "Highways, Municipalities Maintenance of Highways, etc.," has been paid in full to the Province, 202.
139. As to whether there are any medical health regulations in the unorganized districts, 214.
140. As to the names of the companies or corporations issuing the insurance policies covering the Liquor Control Board properties. Return ordered, 216.
141. As to how much money has been paid up to date by the Government to the firm of Ecclestone Hardware Company, of Huntsville, for material to be used on the new Algonquin Park Road, 213.
142. As to procedure followed by the Royal Commission appointed to investigate and report upon certain matters concerning the Hydro-Electric Power Commission of Ontario, 214.

**R**ADIO THERAPY, ONTARIO INSTITUTE OF:

Bill (No. 57) respecting, introduced, 25. Second reading, 37. House in Committee, 48. Third reading, 64. Royal Assent, 244. (24 George V, c. 37.)

## RADIUM BELGE COMPANY OF NEW YORK:

Question (No. 125) as to date of contract for purchase of radium from, 185.

## RADIUM FOR CURATIVE PURPOSES:

Referred to in Speech from Throne, 4.

## RAILWAYS, COMMITTEE ON:

1. Authorized, 9. Appointed, 15.

## RECORDS AND ARCHIVES, DEPARTMENT OF:

Report for year 1933, 32. (*Sessional Paper No. 16.*)

## REFORMATORIES:

See *Prisons.*

## REGAN, FRANK:

Question (No. 96) as to amounts paid to by Government, 1931-32-33, and as to his war record, 139.

## REGIOPOLIS, UNIVERSITY OF:

Petition for an Act respecting, laid on Table, 10. Read and received, 14. Reported by Committee on Standing Orders, 67. Bill (No. 27) introduced and referred to Committee on Private Bills, 69. Reported and fees remitted, 207. Second reading, 220. House in Committee, 221. Third reading, 238. Royal Assent, 243. (24 George V, c. 93.)

## REGISTRY ACT, THE:

1. Bill (No. 52) to amend, introduced, 21. Second reading, and referred to Committee on Legal Bills, 40. Reported, 132. House in Committee, 183. Third reading, 209. Royal Assent, 244. (24 George V, c. 50.)
2. Bill (No. 61) to amend, introduced, 42. Second reading, 48. House in Committee, 106. Third reading, 122. Royal Assent, 245. (24 George V, c. 50.)

## REID, MR.:

Added to Committee on Labour, 147.

## RELIEF LAND SETTLEMENT SCHEME:

See *Lands and Forests.*

## REPRESENTATION ACT, 1933, THE:

Bill (No. 138) to amend, introduced, 138. Second reading, 186. House in Committee, 205. Third reading, 210. Royal Assent, 246. (24 George V, c. 51.)

## RESEARCH FOUNDATION, THE ONTARIO:

Question (No. 45) as to salaries and other expenses. Return ordered, 75. Returned, 90. (*Sessional Paper, No. 44.*)

## RETURNS ORDERED:

1. Showing all correspondence and communications received by Ministers of the Crown during years 1931-32 and 33 relating to (a) the appointment of the Sheriff of the County of Simcoe, (b) the appointment of Jail Warden of the County of Simcoe, 45. Returned, 192. (*Sessional Paper No. 53.*)
2. Showing appointments as King's Council since 1897, 45. Returned, 54. (*Sessional Paper No. 42.*)
3. Showing salaries and expenses of Ontario Research Foundation, 75. Returned, 90. (*Sessional Paper No. 44.*)
4. Showing what orders for destruction or removal of buildings by Fire Marshall in 1930-31-32-33, and persons affected, 84. Returned, 90. (*Sessional Paper No. 45.*)
5. Showing details of insurance carried on Government Buildings outside the City of Toronto, 96. Returned, 117. (*Sessional Paper, No. 49.*)
6. Showing all correspondence by any Minister of the Crown relating to a resolution of the House, April 14th, 1924, as to wages in contracts for sale of timber, pulpwood or water power, 142. Returned, 242. (*Sessional Paper No. 57.*)
7. Showing all correspondence regarding dismissals and superannuations of Park Rangers in Algonquin Park since 1930, 143. Returned, 207. (*Sessional Paper No. 55.*)
8. Showing companies, corporations or agencies holding insurance from Liquor Control Board, 216.

## RETURNS TO ORDERS OF THE HOUSE, 1933:

Question (No. 8) as to responsibility for alleged delay in making certain returns. Withdrawn.

## REVENUES AND EXPENDITURES:

1. Question (No. 82) as to reduction of, last fiscal year, as result of elimination of cross-entries, 92.
2. Question (No. 99) as to amounts by which elimination of cross-entries has reduced Ordinary Revenue and Expenditure, Interest Revenue and Expenditure and Capital Revenue and Expenditure and also why sum of \$211,014.13 is still carried as Interest Revenue and the sum of \$221,071.89 as Capital Revenue, 114.
3. Return to Order of the House of April 10th, 1933, showing reduction of, as a result of elimination of cross-entries in bookkeeping for years 1929 to 1932, 19. (*Sessional Papers No. 34.*)

RIDDELL, MR. JUSTICE:

Question (No. 94) as to amount paid to, in connection with Hydro-Electric Inquiry, 102.

RIDGEWAY MEMORIAL PARKS ACT, THE BATTLE OF:

Bill (No. 47) introduced, 11. Second reading, 18. House in Committee, 24. Third reading, 64. Royal Assent, 244. (24 George V, c. 2.)

ROBB, MR.:

Added to Committee on Labour, 132.

ROBERTSON, MR.:

Added to Committee on Agriculture and Colonization, 43.

ROBBINS, HARRY M.:

Question (No. 95) as to date of his appointment as Deputy-Minister of Hospitals, his salary and successor, 104.

ROMAN CATHOLIC EPISCOPAL CORPORATION OF THE DIOCESE OF HAMILTON:

Petition for an Act respecting, laid on Table, 9. Read and received, 13. Reported by Committee on Standing Orders, 20. Bill (No. 2) introduced and referred to Committee on Private Bills, 22. Withdrawn.

RONDEAU PARK:

1. Question (No. 9) as to resignation of Ralph S. Carman as superintendent of, 29.

2. Question (No. 10) as to supply of food to Unemployment Camps in, 30.

RUSSELL AND RUSSELL, LIMITED:

Question (No. 128) as to amount paid to, by Government for insurance during years 1930, 1931, 1932 and 1933, 154.

**S**T. CATHARINES, CITY OF:

Petition for an Act respecting, laid on Table, 10. Read and received, 14. Reported by Committee on Standing Orders, 34. Bill (No. 28) introduced and referred to Committee on Private Bills, 36. Reported, 50. Second reading, 53. House in Committee, 63, 221. Third reading, 238. Royal Assent, 243. (24 George V, c. 94.)

## ST. CLAIR BEACH, VILLAGE OF:

Petition for an Act respecting, laid on Table, 12. Read and received, 20. Reported by Committee on Standing Orders, 33. Bill (No. 25) introduced and referred to Committee on Private Bills, 35. Reported, 77. Second reading, 83. House in Committee, 87. Third reading, 94. Royal Assent, 243. (24 George V, c. 95.)

## ST. THOMAS, CITY OF:

Petition for an Act respecting, laid on Table, 10. Read and received, 14. Reported by Committee on Standing Orders, 67. Bill (No. 17) introduced and referred to Committee on Private Bills, 68. Reported, 108. Second Reading, 123. House in Committee, 129. Third reading, 138. Royal Assent, 243. (24 George V, c. 96.)

## SALTER, P. O.:

See *Hydro*.

## SANITORIA:

See *Hospitals*.

## SAULT STE. MARIE:

Question (No. 68) as to rights to cut pulpwood on an area of 7,184 square miles near Sault Ste. Marie, 125.

## SAVINGS BANK, THE ONTARIO:

1. Question (No. 92) as to amount paid by, to Government and what amounts are on deposit, 114.
2. Question (No. 132) as to staff of Danforth and Woodbine Branch, Toronto, their duties and salaries, 186.

## SCHOOL LAW AMENDMENT ACT, 1934, THE:

Bill (No. 42) introduced, 84. Second reading, 93. House in Committee, amended and reported, 130. Third reading, 209. Royal Assent, 244. (24 George V, c. 52.)

## SCHOOLS, PUBLIC, SEPARATE AND HIGH:

Return of Regulations and Orders-in-Council relating to, made under authority of Department of Education Act, 27, 148. (*Sessional Paper No. 32*.)

## SEDGEWICK, MR. JUSTICE:

Question (No. 94) as to amount paid to in connection with Hydro-Electric Inquiry, 102.



## SEED GRAIN:

Arrangement to supply seed to farmers announced by Minister of Agriculture,  
117.

## SEED GRAIN, ACT RESPECTING SUBSIDIES FOR:

Bill (No. 149) introduced, 148. Second reading, 187. House in Committee,  
204. Third reading, 210. Royal Assent, 246. (24 George V, c. 53.)

## SESSIONAL INDEMNITY:

Motion for payment in full to all Members carried, 241.

## SESSIONAL PAPERS AND REVISED STATUTES:

Report of distribution of, for year ending October 31st, 1933. 19. (*Sessional  
Paper No. 31.*)

## SHEEP PROTECTION ACT:

See *Dog Tax*.

## SHEFFIELD, TOWNSHIP OF:

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## SHEVLIN, CLARKE COMPANY, LIMITED:

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## SHOP AND OFFICE BUILDING ACT, THE FACTORY:

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## SIMCOE, COUNTY OF:

1. Question (No. 2) as to who recommended appointment of Sheriff of,  
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2. Question (No. 7) as to who recommended appointment of Jail Warden in,  
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3. Motion for a return of all correspondence during years 1931-2-3 relating  
to the appointment of the Sheriff of Simcoe County and the appointment  
of the Jail Warden of Simcoe County, 45. Returned, 192. (*Sessional  
Paper No. 53.*)

## SKINNER, FREDERICK JAMES:

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2. House adjourns over one day in memory of, 11.

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Question (No. 60) as to purchase of gravel from, 74.

SMITH, R. M.:

Examined by Committee on Public Accounts, 194.

SOLDIERS' AID COMMISSION, THE ONTARIO:

Question (No. 21) as to membership of and remuneration or expenses during years 1930-31-32-33, 40.

SORSOLEIL, MR. A.:

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SOUTHAMPTON, TOWN OF:

Petition for an Act respecting, laid on Table, 25. Read and received, 26. Reported by Committee on Standing Orders, 67. Bill (No. 36) introduced and referred to Committee on Private Bills, 68. Reported, 108. Second reading, 123. House in Committee, 129. Third reading, 139. Royal Assent, 244. (24 George V, c. 97.)

SPEAKER, MR.:

1. Reports he has secured a copy of His Honour's Speech, 5.
2. Reports vacancies and elections, 5.
3. Presents Bills for Royal Assent, 242.
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2. Reports, 20, 33, 67.
3. Time for presenting Petitions and introducing Private Bills, extended, 35.

STATUTE LAW AMENDMENT ACT, 1934, THE:

Bill (No. 150) introduced, 184. Second reading, 203. House in Committee, 222. Third reading, 239. Royal Assent, 246. (24 George V, c. 54.)

## STATUTES, REVISED, AND SESSIONAL PAPERS:

Report of distribution, year ending October 31st, 1933, 19. (*Sessional Paper No. 31.*)

## STEPHENSON, TOWNSHIP OF:

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## STIRLING, VILLAGE OF:

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## STRIKING COMMITTEE:

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2. Appointed, 11.
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## STRATFORD, STRIKE AT CITY OF:

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## STURGEON FALLS AGREEMENT:

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## SUCCESSION DUTY ACT, THE:

Bill (No. 66) to amend, introduced, 44. Second reading, 54. House in Committee, 63. Referred back to Committee, amended and reported, 65. Third reading, 65. Royal Assent, 245. (24 George V, c. 55.)

## SUMMARY CONVICTIONS ACT, THE:

Bill (No. 51) to amend, introduced, 18. Second reading, 23. House in Committee, 31. Third reading, 121. Royal Assent, 244. (24 George V, c. 56.)

## SUPERANNUATION FUND, PUBLIC SERVICE:

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2. Amendment moved and debate on, 89, 95, 108, 118, 133

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## SUPPLY BILL, THE:

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## SYDENHAM, VILLAGE OF:

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## TAVISTOCK:

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## TAXES, AMUSEMENT:

Question (No. 43) as to amount owing for years 1930-31-32-33, 61.

## TECK, TOWNSHIP OF:

Petition for an Act respecting, laid on Table, 10. Read and received, 13.  
Reported by Committee on Standing Orders, 67. Bill (No. 13) introduced and referred to Committee on Private Bills, 68. Reported, 88. Second reading, 93. House in Committee, 103. Third reading, 122. Royal Assent, 243. (24 George V, c. 98.)

## TEMISKAMING AND NORTHERN ONTARIO RAILWAY:

1. Report for year ending October 31st, 1933, 19. (*Sessional Paper No. 23.*)
2. Position of, referred to in Speech from Throne, 4.
3. Question (No. 11) as to cost of extension of, from Cochrane to Moosonee, 30.
4. Question (No. 88) as to interest paid by, to Government, 92.

## TEMISKAMING AND NORTHERN ONTARIO RAILWAY ACT:

Bill (No. 65) to amend, introduced, 44. Second reading, 48. House in Committee, 63. Third reading, 122. Royal Assent, 245. (24 George V, c. 58.)

## TEMPERANCE IN SCHOOLS:

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## THRONE, SPEECH FROM:

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8. Amendment to Amendment carried on Division, 70.
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## THUNDER BAY PAPER COMPANY:

See *Lands and Forests*.

## TILE DRAINAGE ACT, THE:

Bill (No. 50) to amend, introduced, 11. Second reading, 18. House in Committee, 24. Referred back to Committee, amended and reported, 217. Third reading, 217. Royal Assent, 244. (24 George V, c. 59.)

## TILLY, W. N., K.C.:

1. Question (No. 14) as to amount paid to, by the Government and Government Commissions, last fiscal year, 56.
2. Question (No. 73) as to payments to, since close of last fiscal year, 120.
3. Question (No. 98) as to amounts paid to him or his firm, 1928 to 1933, inclusive, 210.



## TILLY, JOHNSTON, THOMSON AND PARMENTER:

1. Question (No. 14) as to payments to, by the Government or Government Commissions during last fiscal year, 56.
2. Question (No. 73) as to payments to, since close of last fiscal year, 120.

## TITUS, F. E.:

Question (No. 103) as to when he entered Government service, etc., 115.

## TORONTO CENTENNIAL:

Referred to in Speech from Throne, 3.

## TORONTO, CITY OF:

1. Petition for an Act respecting, laid on Table, 23. Read and received, 25. Reported by Committee on Standing Orders, 33. Bill (No. 11) introduced and referred to Committee on Private Bills, 36. Reported, 54. Second reading, 62. House in Committee, 65. Third reading, 87. Royal Assent, 243. (24 George V, c. 99.)
2. Petition asking legislation to establish a minimum wage law for men, laid on Table, 49. Read and received, 50.
3. Petition asking Government to join in establishment of Civil Re-establishment Commission. Laid on Table, 49. Read and received, 51.

## TORONTO TOWNSHIP:

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## TORONTO, UNIVERSITY OF:

Report of Board of Governors for year ending June 30th, 1933, 19.  
(*Sessional Paper No. 12.*)

## TOURIST AND PUBLICITY BUREAU:

Question (No. 6) as to cost of, and salaries during years 1929 to 1933, 27.

## TREASURER, THE PROVINCIAL:

Death of, mentioned in Speech from Throne, 2.

## TRENTON COLD STORAGE COMPANY, LIMITED:

Return to an Order of the House of March 22nd, 1933, showing all correspondence between the Company and the Government and any leases made between them, 18. (*Sessional Paper No. 33.*)

## VOTERS' LISTS ACT, THE:

Bill (No. 123) to amend, introduced, 119. Second reading, 129. House in Committee, 221. Third reading on Division, 237. Royal Assent, 246. (24 George V, c. 63.)

## VROOMAN, SHERIFF:

See *Lindsay*.

## WAGES ACT, THE:

1. Bill (No. 128) to amend, introduced, 133. Second reading, and referred to Committee on Legal Bills, 182. Not reported, 193.
2. Select Committee appointed to consider amendments to, 193.

## WALKERVILLE, TOWN OF:

Petition for an Act respecting, laid on Table, 12. Read and received, 20. Reported by Committee on Standing Orders, 35. Bill (No. 16) introduced and referred to Committee on Private Bills, 37. Reported, 192. Second reading, 216. House in Committee, 221. Third reading, 238. Royal Assent, 243. (24 George V, c. 100.)

## WALLACE, E. E.:

Question (No. 85) as to his application for timber areas in the Kenora District, 104.

## "WASP," FIREBOAT:

See *Lands and Forests*.

## WAYS AND MEANS, COMMITTEE ON:

1. Motion to go into, 71.
2. In the Committee, 236.
3. Report received and adopted, 236.

## WEED CONTROL ACT, THE:

Bill (No. 133) to amend, introduced, 133. Second reading, 183. House in Committee, 189. Third reading, 210. Royal Assent, 246. (24 George V, c. 64.)

## WELFARE, DEPARTMENT OF PUBLIC:

1. Report for 1931-2, 219. (*Sessional Paper No. 19.*)
2. Referred to in Speech from Throne, 4.

## WELLAND, CITY OF:

Petition for an Act respecting, laid on Table, 10. Read and received, 13. Reported by Committee on Standing Orders, 34. Bill (No. 10) introduced and referred to Committee on Private Bills, 36. Reported, 50. Second reading, 53. House in Committee, 63. Third reading, 64. Royal Assent, 243. (24 George V, c. 101.)

## WESTON, TOWN OF:

Petition for an Act respecting, laid on Table, 10. Read and received, 13. Reported by Committee on Standing Orders, 33. Bill (No. 9) introduced and referred to Committee on Private Bills, 36. Reported, 50. Second reading, 53. House in Committee, 63. Third reading, 64. Royal Assent, 243. (24 George V, c. 102.)

## WHITE, A. V.:

See *Hydro*.

## WHITE, JOHN T., K.C.:

Question (No. 4) as to expenses incurred by, during trip to Western Provinces, 27.

## WHITE, PETER, K.C.:

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## WINDSOR-WALKERVILLE VOCATIONAL SCHOOL:

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Toronto, University of, Report.....	12	<i>Printed.</i>
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Workmen's Compensation Board, Report.....	28	<i>Printed.</i>

# LIST OF SESSIONAL PAPERS

Arranged in Numerical Order with their Titles at full length;  
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whether ordered to be printed or not.

No. 1	Public Accounts of the Province of Ontario for the twelve months ending October 31st, 1933. Presented to the Legislature, March 1st, 1934. <i>Printed.</i>
No. 2	Estimates for the Service of the Province for the year ending October 31st, 1935. Presented to the Legislature, March 19th, 1934. <i>Printed.</i>
No. 3	Report of the Department of Lands and Forests, Ontario, for year ending October 31st, 1933. Presented to the Legislature, March 28th, 1934. <i>Printed.</i>
No. 4	Annual Report of Department of Mines, Ontario, 1933. Presented to the Legislature, March 22nd, 1934. <i>Printed.</i>
No. 5	Report of the Inspector of Legal Offices for year ending December 31st, 1933. Presented to the Legislature, March 14th, 1934. <i>Printed.</i>
No. 6	Report of the Superintendent of Insurance for year ending December 31st, 1933. Presented to the Legislature, March 27th, 1934. <i>Printed.</i>
No. 7	Report of Registrar of Loan Corporations for Province of Ontario for year ending December 31st, 1933. Presented to the Legislature, March 27th, 1934. <i>Printed.</i>
No. 8	Report of the Minister of Public Works, Ontario, for year ending October 31st, 1933. Presented to the Legislature, March 12th, 1934. <i>Printed.</i>
No. 9	Report of the Department of Game and Fisheries, Ontario, 1933. Presented to the Legislature, March 22nd, 1934. <i>Printed.</i>
No. 10	Annual Report of the Department of Labour. Presented to the Legislature, February 21st, 1934. <i>Printed.</i>
No. 11	Report of the Department of Education, 1933. Presented to the Legislature, March 27th, 1934. <i>Printed.</i>

- No. 12 Report of the Board of Governors of the University of Toronto for year ending June 30th, 1933. Presented to the Legislature, February 5th, 1934. *Printed.*
- No. 13 Report relating to Registration of Births, Marriages and Deaths, Ontario, for year ending December 31st, 1933. Presented to the Legislature, March 27th, 1934. *Printed.*
- No. 14 Annual Report of the Department of Health, Ontario, 1933. Presented to the Legislature, March 28th, 1934. *Printed.*
- No. 15 Annual Report upon Hospitals for Mentally Ill, Mentally Subnormal and Epileptic for period ending October 31st, 1933. Presented to the Legislature, March 21st, 1934. *Printed.*
- No. 16 Report of the Department of Public Records and Archives, Ontario. Presented to the Legislature, February 12th, 1934. *Printed.*
- No. 17 Annual Report upon the Hospitals and Sanatoria of Ontario for year ending September 30th, 1933. Presented to the Legislature, March 26th, 1934. *Printed.*
- No. 18 Report of the Prisons and Reformatories of the Province of Ontario for year ending October 31st, 1933. Presented to the Legislature, March 21st, 1934. *Printed.*
- No. 19 Report of the Department of Public Welfare, Province of Ontario, for year 1931-32. Presented to the Legislature, March 28th, 1934. *Printed.*
- No. 20 Annual Report of the Liquor Control Board of Ontario as at October 31st, 1933. Presented to the Legislature, February 15th, 1934. *Printed.*
- No. 21 Report of the Department of Agriculture, Ontario, for year ending October 31st, 1933. Presented to the Legislature, March 27th, 1934. *Printed.*
- No. 22 Report of the Statistics Branch, Ontario Department of Agriculture, 1933. Presented to the Legislature, March 27th, 1934. *Printed.*
- No. 23 Annual Report of the Temiskaming and Northern Ontario Railway Commission for year ending October 31st, 1933. Presented to the Legislature, February 5th, 1934. *Printed.*
- No. 24 Annual Report of the Ontario Municipal Board for year ending December 31st, 1933. Presented to the Legislature, March 26th, 1934. *Printed.*
- No. 26 Report of the Hydro-Electric Power Commission of Ontario for year ending October 31st, 1933. Presented to the Legislature, March 28th, 1934. *Printed.*

- No. 27 Report of the Provincial Auditor, Ontario. Presented to the Legislature, March 2nd, 1934. *Printed.*
- No. 28 Report of the Workmen's Compensation Board, Ontario, 1933. Presented to the Legislature, March 26th, 1934. *Printed.*
- No. 29 Report of Ontario Veterinary College for year 1933. Presented to the Legislature, March 27th, 1934. *Printed.*
- No. 30 Orders-in-Council made pursuant to Ontario Insurance Act and The Guarantee Companies Securities Act. Presented to the Legislature, February 5th, 1934, and March 12th, 1934. *Not Printed.*
- No. 31 Report of the Distribution of Revised Statutes and Sessional Papers, October 31st, 1933. Presented to the Legislature, February 5th, 1934. *Not Printed.*
- No. 32 Regulations and Orders-in-Council made under authority of the Department of Education Act or Acts relating to Public Schools, Separate Schools or High Schools. Presented to the Legislature, February 5th, 1934, and March 22nd, 1934. *Not Printed.*
- No. 33 Return to an Order that there be laid before the House a Return showing: 1. Copies of all correspondence relating to agreements between the Government and the Trenton Cold Storage Company, Limited. 2. Full particulars regarding any loan of money made by the Government to the Trenton Cold Storage Company, Limited. 3. Full particulars relating to any lease of space by the Government from the Trenton Cold Storage Company, Limited. *Mr. Simpson.* Presented to the Legislature, February 5th, 1934. *Not Printed.*
- No. 34 Return to an Order that there be laid before the House a Return showing: What is the amount in each of the years 1929, 1930, 1931 and 1932 by which the totals of revenue and expenditure are reduced by the adoption of the new system of Bookkeeping by which cross-entries are eliminated. *Mr. McQuibban.* Presented to the Legislature, February 5th, 1934. *Not Printed.*
- No. 35 Return to an Order that there be laid before the House a Return showing: 1. What was the cost of the Ontario Government Garage in the years 1929 to 1932 inclusive. 2. How many new trucks, motorcycles and automobiles were purchased during the years 1929 to 1932 inclusive. 3. What was the cost of each automobile purchased during the years 1929 to 1932 inclusive. *Mr. Hipel.* Presented to the Legislature, February 5th, 1934. *Not Printed.*
- No. 36 Return to an Order that there be laid before the House a Return showing: 1. What fees or remunerations were paid in connection with the sale of Law Stamps during the years 1930 and 1931, giving names and addresses and occupations of recipients and



amount paid to each recipient. 2. What services do such persons render to entitle them to such fees or remuneration. *Mr. Robertson.* Presented to the Legislature, February 5th, 1934. *Not Printed.*

- No. 37 Return to an Order of the House that there be laid before the House a Return showing: 1. From what firms or individuals in Scotland did the Ontario Liquor Control Board buy whiskey or other supplies during the last fiscal year. 2. What was the amount and value of the business done with each firm or individual. 3. Who was the Ontario Representative in each instance and what commissions did each Canadian Representative receive. 4. (a) What were the gross sales from the following Liquor Stores during the last fiscal year: Woodstock, Brantford, Paris. (b) What was the total cost of local administration in each case. *Mr. Medd.* Presented to the Legislature, February 12th, 1934. *Not Printed.*
- No. 38 Return to an Order of the House that there be laid before the House a Return showing: 1. To whom has the Ontario Liquor Control Board allotted (a) Brewers' Warehouse Licenses in Toronto, Ottawa, London, Windsor, Hamilton, St. Catharines, Niagara Falls, Brantford, Chatham, St. Thomas, Sault Ste. Marie, Sudbury, North Bay, Fort William, Port Arthur, Walkerville, Oshawa, Brockville, and East Windsor. (b) Who owns each warehouse. 2. Do the breweries pay fees to the licensees in order (a) to have their beer sold through the warehouses, (b) If so, how much are the fees paid. (c) Who receives these fees, the Ontario Liquor Control Board, or the licensee. 3. How much does each licensee receive per case on all beer sold through his warehouse, and to whom does this money go. 4. Do the brewers pay the cost or percentage of cost of operating these warehouses. 5. (a) Who appoints the staff of these warehouses. (b) Who sets their rates of pay, and who pays them. (c) What is the average wage paid in each of the warehouses named in No. 1. *Mr. Medd.* Presented to the Legislature, February 12th, 1934. *Not Printed.*
- No. 39 Return to an Order of the House dated March 31st, 1933, That there be laid before the House a Return showing: 1. What is the total amount in arrears to the Agricultural Development Board. 2. How many individual farmers owe this amount. 3. How many have been in arrears for two years. What amount. 4. How many have been in arrears for more than two years. What amount. *Mr. Ross.* Presented to the Legislature, February 15th, 1934. *Not Printed.*
- No. 40 Return to an Order of the House dated April 3rd, 1933, That there be laid before the House a Return showing: 1. What is the total sum of money paid to the firm of Clarkson, Gordon, Dilworth, Guilfoyle and Nash, Accountants, or to any member or employee of the firm during each of the last three fiscal years by (a) the Government; (b) Hydro-Electric Power Commission of Ontario; (c) any other outside public service department of the Government. *Mr. Medd.* Presented to the Legislature, February 15th, 1934. *Not Printed.*



- No. 41 Orders-in-Council made under the authority of The Northern Development Act, 1929. Presented to the Legislature, February 21st, 1934. *Not Printed.*
- No. 42 Return to an Order that there be laid before the House a Return showing appointments since 1897 of Provincial Officers under the name of "His Majesty's Counsel learned in the Law" under the provisions of R.S.O. 1927, Chapter 193, Section 5, and preceding Barristers Acts, giving the dates upon which such appointments were made and the number appointed at each of said dates. *Mr. Sinclair.* Presented to the Legislature, February 21st, 1934. *Not Printed.*
- No. 43 Annual Report of The Minimum Wage Board, Ontario, 1933. Presented to the Legislature, February 26th, 1934. *Printed.*
- No. 44 Return to an Order of the House, That there be laid before the House a Return showing: 1. What salaries have been paid members of the Ontario Research Foundation, and what amounts annually does each member of the staff receive in (a) remuneration; (b) travelling expenses and allowances; (c) per diem if not on salary. *Mr. Baxter.* Presented to the Legislature, March 6th, 1934. *Not Printed.*
- No. 45 Return to an Order of the House, That there be laid before the House a Return showing: 1. What orders for the destruction or removal of buildings have been made by the Fire Marshal of Ontario during the years 1930, 1931, 1932 and 1933. 2. Who were the persons, firms or companies affected by such orders. 3. Were all the Fire Marshal's orders carried out. If not, why were such orders stayed. 4. Who were the Ministers, solicitors and others who made representations requesting the suspension of such orders. *Mr. Baxter.* Presented to the Legislature, March 6th, 1934. *Not Printed.*
- No. 46 Report of the Ontario Athletic Commission for year ending October 31st, 1933. Presented to the Legislature, March 12th, 1934. *Not Printed.*
- No. 47 Report on operations under The Northern Development Act and The Colonization Roads Act for year ending October 31st, 1933. Presented to the Legislature, March 13th, 1934. *Printed.*
- No. 48 Return to an Order of the House, That there be laid before the House a Return showing: 1. (a) How many automobiles, trucks and motorcycles were owned by the Ontario Government in each of the years 1929 to 1932, inclusive. (b) What was the total cost of maintenance and operation in each of the above years. 2. (a) How many automobiles, trucks, and motorcycles were given mileage and other allowances by the Ontario Government during the above years. (b) What was the cost during these years. *Mr. Robertson.* Presented to the Legislature, March 13th, 1934. *Not Printed.*

- No. 49 Return to an Order of the House, That there be laid before the House a Return showing: 1. What is the total insurable value of all Government Buildings outside the City of Toronto. 2. (a) What is the total amount of fire insurance carried by the Government on these buildings. (b) Does the Government carry fire insurance on all these buildings. Presented to the Legislature, March 14th, 1934. *Not Printed.*
- No. 50 Report of the Public Service Superannuation Board, Ontario, for year ending October 31st, 1933. Presented to the Legislature, March 14th, 1934. *Not Printed.*
- No. 51 Report of the Commissioner of The Ontario Provincial Police for year ending October 31st, 1933. Presented to the Legislature, March 22nd, 1934. *Printed.*
- No. 52 Report of the Secretary and Registrar of the Province of Ontario with respect to the Administration of The Companies Act, The Extra Provincial Corporations Act, The Mortmain and Charitable Uses Act, and The Companies Information Act, for year ending October 31st, 1933. Presented to the Legislature, March 26th, 1934. *Not Printed.*
- No. 53 Return to an Order of the House, That there be laid before the House a Return showing copies of all correspondence and communications received or forwarded by any person or organization to Ministers of the Ontario Government during the years 1931, 1932 and 1933 relating: (a) To the appointment during the above-mentioned period of the Sheriff of the County of Simcoe. (b) To the appointment of Jail Warden of the County of Simcoe. *Mr. Baxter.* Presented to the Legislature, March 26th, 1934. *Not Printed.*
- No. 54 Report of the Civil Service Commissioner of Ontario for year ending October 31st, 1933. Presented to the Legislature, March 27th, 1934. *Not Printed.*
- No. 55 Return to an Order of the House, That there be laid before the House a Return showing copies of all correspondence regarding the dismissals and superannuations of all Park Rangers in Algonquin Park since 1930. *Mr. Murray.* Presented to the Legislature, March 27th, 1934. *Not Printed.*
- No. 56 Annual Report of the Department of Highways, Ontario. Presented to the Legislature, March 28th, 1934. *Printed.*

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| No. 57 | Return to an Order of the House dated 21st March, 1934, That there be laid before the House a Return showing copies of all correspondence and communications received or forwarded by any person, or organization to the Minister of Lands and Forests or to any other Minister of the Ontario Government relating to the Resolution passed by this House April 14th, 1924, as to wages in contracts for the sale of timber or pulpwood or for the development of water powers. <i>Mr. Murray.</i> Presented to the Legislature, March 29th, 1934. <i>Not Printed.</i> |
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#### RETURNS ORDERED BUT NOT BROUGHT DOWN

1. Showing: 1. What are the names of the companies or corporations issuing the insurance policies covering the Liquor Control Board. 2. What are the names of the agencies through which policies were issued. 3. What is the amount of premiums payable on individual policies.



# JOURNALS

OF THE

# LEGISLATIVE ASSEMBLY

OF THE

# PROVINCE OF ONTARIO

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WEDNESDAY, JANUARY 31st, 1934

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PROCLAMATION

H. A. BRUCE

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CANADA

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PROVINCE OF ONTARIO

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GEORGE THE FIFTH, by the Grace of God, of Great Britain, Ireland and the British Dominions beyond the Seas, KING, Defender of the Faith, Emperor of India.

To Our Faithful, the Members elected to serve in the Legislative Assembly of our Province of Ontario, and to every of you—GREETING.

WILLIAM H. PRICE, { **W**HEREAS it is expedient for certain causes  
*Attorney-General.* and considerations to convene the Legislative  
Assembly of Our said Province, WE DO WILL that you and each of you and  
all others in this behalf interested, on WEDNESDAY, the Thirty-first day of  
January now next, at OUR CITY OF TORONTO, personally be and appear  
for the DESPATCH OF BUSINESS, to treat, act, do and conclude upon those things  
which, in Our Legislature of the Province of Ontario, by the Common Council  
of Our said Province, may by the favour of God be ordained. HEREIN FAIL  
NOT.



IN TESTIMONY WHEREOF, We have caused these Our Letters to be made Patent, and the GREAT SEAL of Our Province of Ontario to be hereunto affixed.

WITNESS, The Honourable HERBERT ALEXANDER BRUCE, a Colonel in Our Royal Army Medical Corps, Fellow of the Royal College of Surgeons of England, etc., Lieutenant-Governor of Our Province of Ontario, at Our Government House in Our City of Toronto, in Our said Province, this Nineteenth day of December, in the year of Our Lord one thousand nine hundred and thirty-three and in the twenty-fourth year of Our Reign.

By Command,

C. F. BULMER,  
Clerk of the Crown in Chancery.

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Wednesday, the Thirty-first day of January, 1934, being the first day of the Fifth Meeting of the Eighteenth Legislature of the Province of Ontario for the despatch of business pursuant to a proclamation of The Honourable Herbert Alexander Bruce, Lieutenant-Governor of the Province.

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3 O'CLOCK P.M.

And the House having met,

The Honourable the Lieutenant-Governor then entered the House and being seated on the Throne was pleased to open the Session by the following gracious speech:—

*Mr. Speaker and Gentlemen of the Legislative Assembly:*

I welcome you to your duties at the Fifth Session of the Eighteenth Legislature of Ontario.

We unite in rendering earnest thanks to Divine Providence for all the blessings enjoyed by this favoured Province during the past year.

I join with you in deploring the loss of several members of this Assembly since your last Session. Two of my Ministers—the Provincial Treasurer and the Minister of Public Works and Labour—ended their arduous tasks since the beginning of this year, and three other Members have also been removed by the hand of death. To their memory I tender tributes of the highest respect and appreciation on your behalf.

As a people we are encouraged by the progress now being made toward the recovery of business and industry. I trust that this tendency will be continued at an accelerated rate, and that the time is not far distant when our country will again be well on the road to enduring prosperity.

It has been arranged to continue for the present year the payments by the Dominion and the Province for the relief of unemployment. These funds will be employed largely in providing work in order that the distribution of direct relief may be gradually curtailed.

At the recent conference between the Federal and Provincial Governments the desirability of greater uniformity of company law throughout the Dominion was discussed and certain progress made. The matter is now under consideration by the various Provincial Governments.

Special interest will attach to the celebration during the coming summer of the hundred and fiftieth anniversary of the landing of the United Empire Loyalists in Upper Canada. It is eminently fitting that the deeds and the sacrifices of these devoted people should be remembered by succeeding generations.

During the present year the City of Toronto will commemorate the hundredth anniversary of its foundation as a city. The growth in importance of the Provincial Capital, alike as the seat of Government and as an educational, commercial and industrial centre, has been sufficiently remarkable to attract widespread interest and attention. The celebration of the centennial will recall a hundred years of Canadian history and progress in a graphic and realistic manner, and will doubtless inspire hopes of even greater achievements in the future.

A gratifying feature of the work of the past year is the progress made in opening up and extending markets for the products of Ontario farms. Experience is emphasizing the necessity of maintaining uniformly the high quality of our products by more effective and more general inspection and grading. Further assistance given to the building of cold storage and central packing plants is enabling the farmer to place perishable products on the market to the best advantage. Co-operation has been arranged with the Federal Department of Agriculture, to improve the quality of our beef cattle, and to increase the yield of dairy cows. Young people in the rural districts are taking a keen interest in the educational activities of the Department, the attendance at the Short Courses in Agriculture and Home Economics being the largest on record.

As an evidence of the trend of industry the operations of the Hydro-Electric Commission afford valuable and reliable information. In December last the actual peak load, including secondary power, carried by the various systems reached the highest point in the history of the Commission. Some three millions of dollars were added to the reserves of the Commission after necessary adjustments were made, bringing the total reserves up to sixty-nine millions of dollars. Last June the Abitibi development was completed and placed in operation as a provincial undertaking. Since then transmission lines have connected all the important mining districts in the neighbouring regions with the development. Contracts already made, and others being arranged, ensure that the project will be self-sustaining in the near future. Rural services were extended last year by the addition of twenty-three hundred consumers, and further loans were made to farmers to enable them to install electrical equipment.

Mining has maintained and strengthened its position among the leading industries of Ontario. With the new mines coming into operation, and prospecting greatly widened, the outlook is favourable for still larger yields of gold. Due to the increased production of nickel and copper, the mines of the Sudbury region are rapidly recovering the status of former years.

Living conditions of men engaged in lumbering operations and boarding in camps in the North Country are such as to call for official investigation and supervision from time to time. It is hoped that proper guidance will serve to prevent the recurrence of disputes and strikes, and avoid the loss and inconvenience entailed upon all concerned.

During the past year there has been no interruption in the educational services, except where in a few remote localities schools have been closed on grounds of economy. In such cases the attending pupils are being instructed in nearby schools or by the Correspondence Courses. My Ministers propose to ask you to vote sufficient money to maintain, without diminution, adequate grants in aid of all classes of schools.

Observations carried on by the Department of Health point to the necessity of provincial control of distribution of milk in the interest of health in the larger centres of population. The Department is actively engaged in extending the facilities for the use of radium for curative purposes. Though there has been a marked increase in the number of indigent patients in the public hospitals and sanatoria, these services have been maintained efficiently throughout the Province.

In consequence of the earnest and sympathetic efforts put forth, notable progress has been made in extending the reformative influence of our penal institutions. In this connection, it is reassuring to observe the continued reduction in the numbers of committals and convictions.

Public interest continues to be manifested in the conservation and propagation of fish and game for which increased facilities have been provided. The federal authorities have assisted in the placing of large game in Northern Ontario. Plans to increase the consumption of Ontario fish are being developed.

Operations in the construction and maintenance of highways will be undertaken during the coming season on a larger scale than prevailed last year, in order to provide employment. The special aid to counties and townships by the Federal and Provincial Governments towards labour costs will be continued.

The zealous efforts of the Public Welfare Department have advanced the cause of social amelioration and enlisted co-operation in helpful work to a commendable degree. Increasing numbers of families have invoked the assistance of the Mothers' Allowances and the Old Age Pensions, and special attention has been required for the needs of Ex-Service men. Additional provision has been made for the training of irresponsible girls and boys, and plans are being developed to interest the public in the care of crippled and otherwise handicapped children.

The provincial railway maintained its services during the past year with an operating surplus, and present indications inspire full confidence in the future of this undertaking.

The Public Accounts will indicate a surplus of ordinary revenue over ordinary expenditure for the period they cover; a much better showing than was considered probable a year ago. The estimates for the current and ensuing fiscal year will be brought down in due course. By the prompt subscription of the recent provincial loan a notable demonstration of the financial strength of Ontario was afforded.

Among the measures to be submitted for your consideration are bills to extend The Mortgagors and Purchasers Relief Act for another year; respecting lumbering operations and living conditions in camps; respecting Bus and Truck Transportation; to provide for provincial control of the distribution of milk; concerning the inspection and grading of agricultural products, and for various other purposes.

In conclusion, I commend the work of this Assembly to your earnest attention, and have confidence that your efforts will further advance the public welfare.

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The Honourable the Lieutenant-Governor was then pleased to retire.

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Prayers.

Mr. Speaker then reported,

That, to prevent mistakes, he had obtained a copy of His Honour's Speech, which he read.

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Mr. Speaker informed the House,

That he had received during the recess of the House, as provided by the Revised Statutes of Ontario, 1927, Chapter 12, Section 32 (1), notification of vacancies which had occurred in the Membership of the House and had issued his Warrant to the Clerk of the Crown in Chancery for the issue of a Writ for the election of a Member to serve in the present Legislature for the following Electoral District:

The Electoral District of Kent, East.

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*To the Honourable Thomas Ashmore Kidd,  
Speaker of the Legislative Assembly of the Province of Ontario.*

We, the undersigned, Harry Corwin Nixon, Member for the said Legislative Assembly for the Electoral Division of Brant, and Leonard J. Simpson, Member for the said Legislative Assembly for the Electoral Division of Simcoe, Centre, do hereby notify you that a vacancy has occurred in the representation in the said Legislative Assembly for the Electoral Division of Kent, East, by reason of the death of Philip James Henry, Member elect for the said Electoral Division of Kent, East;



And we the said Harry Corwin Nixon and Leonard J. Simpson, Members of the Assembly aforesaid, hereby require you to issue a new Writ for the Election of a Member to fill the said vacancy.

In witness whereof, we have hereunto set our hands and seals on this Fifteenth day of September, in the year of our Lord one thousand nine hundred and thirty-three.

Signed and sealed in the presence of	}	Harry Corwin Nixon.	[Seal]
Alex. C. Lewis.		Leonard J. Simpson.	[Seal]

September 13th, 1933.

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*To The Honourable Thomas Ashmore Kidd,  
Speaker of the Legislative Assembly of the Province of Ontario.*

We, the undersigned, George A. McQuibban, Member for the said Legislative Assembly for the Electoral Division of Wellington, Northeast, and Charles A. Robertson, Member for the said Legislative Assembly for the Electoral Division of Huron, North, do hereby notify you that a vacancy has occurred in the representation in the said Legislative Assembly for the Electoral Division of Bruce, North, by reason of the death of Frederick W. Elliott, Member elect for the said Electoral Division of Bruce, North.

In witness whereof, we have hereunto set our hands and seals on this Twenty-ninth day of January, in the year of our Lord one thousand nine hundred and thirty-four.

Signed and sealed in the presence of	}	Geo. A. McQuibban	[Seal]
Alex. C. Lewis.		Charles A. Robertson.	[Seal]

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*To The Honourable Thomas Ashmore Kidd,  
Speaker of the Legislative Assembly of the Province of Ontario.*

We, the undersigned, George Holme Challies, Member for the said Legislative Assembly for the Electoral Division of Dundas, and William H. Price, Member for the said Legislative Assembly for the Electoral Division of Parkdale, do hereby notify you that a vacancy has occurred in the representation in the said Legislative Assembly for the Electoral Division of Leeds by reason of the death of Frederick James Skinner, Member elect for the said Electoral Division of Leeds.

In witness whereof, we have hereunto set our hands and seals on this Thirtieth day of January, in the year of our Lord one thousand nine hundred and thirty-four.

Signed and sealed in the presence of	}	Geo. H. Challies.	[Seal]
Alex. C. Lewis.		William H. Price.	[Seal]



*To The Honourable Thomas Ashmore Kidd,  
Speaker of the Legislative Assembly of the Province of Ontario.*

We, the undersigned, George Holme Challies, Member for the said Legislative Assembly for the Electoral Division of Dundas, and William H. Price, Member for the said Legislative Assembly for the Electoral Division of Parkdale, do hereby notify you that a vacancy has occurred in the representation in the said Legislative Assembly for the Electoral Division of Perth, North, by reason of the death of Joseph D. Monteith, Member elect for the said Electoral Division of Perth, North.

In witness whereof, we have hereunto set our hands and seals on this Thirtieth day of January, in the year of our Lord one thousand nine hundred and thirty-four.

Signed and sealed in the presence of	}	Geo. H. Challies.	[Seal]
Alex. C. Lewis.		William H. Price.	[Seal]

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*To The Honourable Thomas Ashmore Kidd,  
Speaker of the Legislative Assembly of the Province of Ontario.*

We, the undersigned, George Holme Challies, Member for the said Legislative Assembly for the Electoral Division of Dundas, and William H. Price, Member for the said Legislative Assembly for the Electoral Division of Parkdale, do hereby notify you that a vacancy has occurred in the representation in the said Legislative Assembly for the Electoral Division of Renfrew, North, by reason of the death of Edward Arunah Dunlop, Member elect for the said Electoral Division of Renfrew, North.

In witness whereof, we have hereunto set our hands and seals on this Thirtieth day of January, in the year of our Lord one thousand nine hundred and thirty-four.

Signed and sealed in the presence of	}	Geo. H. Challies.	[Seal]
Alex. C. Lewis.		William H. Price.	[Seal]

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Ottawa, Canada,  
January 20th, 1934.

*To The Honourable Lt.-Col. Thomas Ashmore Kidd,  
Speaker, The Ontario Legislative Assembly,  
Parliament Buildings, Toronto, Canada.*

Sir,—

On account of the fact that I am about to be sworn in as a Member of the Senate of Canada, I, Louis Coté, the undersigned, Member for the Electoral

District of East Ottawa to the Legislative Assembly of Ontario, hereby declare that I resign my said seat.

(Sgd.) Louis Coté.

Dated at Ottawa,  
this 20th day of January, A.D. 1934.

(Sgd.) Arthur S. Hardy.

(Sgd.) Thomas A. Burgess.

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Mr. Speaker informed the House,

That the Clerk had received, from the Clerk of the Crown in Chancery, and laid upon the Table, the following certificate of the election held since the last Session of the House:—

Electoral District of Kent, East—Mr. Douglas Munro Campbell.

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#### PROVINCE OF ONTARIO

THIS IS TO CERTIFY that in virtue of a Writ of Election, dated the Twenty-eighth day of November, 1933, issued by The Honourable the Lieutenant-Governor, and addressed to J. Frank Manders, Esquire, Returning Officer for the Electoral District of East Kent, for the election of a Member to represent the said Electoral District of East Kent in the Legislative Assembly of this Province, in the room of Philip J. Henry, Esquire, who, since his election as representative of the said Electoral District of East Kent, has departed this life, Douglas Munro Campbell, Esquire, has been returned by acclamation as duly elected, as appears by the Return of the said Writ of Election, dated the Third day of January, 1934, which is now lodged of record in my office.

C. F. BULMER,  
Clerk of the Crown in Chancery.

Toronto, January 19th, 1934.

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Douglas Munro Campbell, Esquire, Member for the Electoral District of East Kent, having taken the Oath and subscribed the Roll, took his seat.

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On motion of Mr. Henry, seconded by Mr. Price (Parkdale),

*Resolved*, That when this House adjourns to-day, it do stand adjourned until four of the clock to-morrow afternoon as a mark of respect to the memory of the late Deputy Attorney-General, Mr. Edward Bayly, and appreciation of his long and distinguished career in the public service of this Province.

On motion of Mr. Henry, seconded by Mr. Price (Parkdale),

A Bill was introduced intituled "An Act respecting the Administration of Oaths of Office to persons appointed as Justices of the Peace," and the same was read the first time.

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On motion of Mr. Henry, seconded by Mr. Price (Parkdale),

*Ordered*, That the Speech of the Honourable the Lieutenant-Governor to this House be taken into consideration To-morrow.

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On motion of Mr. Henry, seconded by Mr. Price (Parkdale),

*Resolved*, That Select Standing Committees of this House, for the present Session, be appointed for the following purposes: 1. On Privileges and Elections; 2. On Railways; 3. On Miscellaneous Private Bills; 4. On Standing Orders; 5. On Public Accounts; 6. On Printing; 7. On Municipal Law; 8. On Legal Bills; 9. On Agriculture and Colonization; 10. On Fish and Game; 11. On Labour; which said Committees shall severally be empowered to examine and enquire into all such matters and things as shall be referred to them by the House, and to report from time to time their observations and opinions thereon, with power to send for persons, papers and records.

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The House then adjourned at 3.30 p.m.

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THURSDAY, FEBRUARY 1ST, 1934

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PRAYERS.

4 O'CLOCK P.M.

The following Petitions were severally brought up and laid upon the Table:—

By Mr. Spence, the Petition of the Mount McKay and Kakabeka Falls Railway Company.

By Mr. Martin (Hamilton, West), the Petition of the Roman Catholic Episcopal Corporation of Hamilton; also, the Petition of the Hamilton By-Product Coke Ovens, Limited.

By Mr. Sinclair, the Petition of the Municipal Corporation of the City of Oshawa.

By Mr. McMillen, the Petition of the Industrial Mortgage and Trust Company and the East Lambton Farmers' Loan and Savings Company.

By Mr. Jutten, the Petition of the Municipal Corporation of the City of Brantford; also, the Petition of the Municipal Corporation of the City of Hamilton.

By Mr. Price (York, West), the Petition of the Municipal Corporation of the Township of Etobicoke; also, the Petition of the Municipal Corporation of the Town of Weston; also, the Petition of the Municipal Corporation of the Town of New Toronto; also, the Petition of the Municipal Corporation of the Township of York.

By Mr. Sanderson, the Petition of the Municipal Corporation of the Town of Prescott.

By Mr. Reid, the Petition of the Municipal Corporation of the Town of Ojibway.

By Mr. Vaughan, the Petition of the Municipal Corporation of the City of Welland.

By Mr. Kenning, the Petition of the Municipal Corporation of the Township of Teck.

By Mr. Raven, the Petition of the Municipal Corporation of the City of St. Thomas.

By Mr. Hutchinson, the Petition of the Kenora Young Men's Christian Association.

By Mr. Ecclestone, the Petition of George E. Cadieux, Matthew McClure, George Gardiner, *et al.*

By Mr. Case, the Petition of the Municipal Corporation of the Village of Woodbridge; also, the Petition of the Municipal Corporation of the Township of North York.

By Mr. Jamieson, the Petition of the Municipal Corporation of the Town of Collingwood.

By Mr. Heighington, the Petition of the Bankers' Trust Company.

By Mr. Oakley, the Petition of the Municipal Corporation of the Village of Forest Hill.

By Mr. Black, the Petition of the University of Regiopolis.

By Mr. Graves, the Petition of the Municipal Corporation of the City of St. Catharines.

By Mr. Elliott, the Petition of William P. Pilkey, *et al.*

On motion by Mr. Henry, seconded by Mr. Price (Parkdale),

*Ordered*, That a Select Committee of ten Members be appointed to prepare and report, with all convenient speed, a list of Members to compose the Select Standing Committees ordered by this House, to be composed as follows:—

*Messrs. Henry, Price (Parkdale), Kennedy (Peel), Smith (Essex), Ireland, Mahony, McQuibban, Oakley, Robertson and Nixon.*

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Moved by Mr. Henry, seconded by Mr. Price (Parkdale),

*Ordered*, That when this House adjourns at this sitting it do stand adjourned until Monday, the Fifth day of February, at three of the clock in the afternoon, out of respect to the memory of the late Honourable Edward A. Dunlop, formerly Provincial Treasurer; the late Honourable Joseph D. Monteith, formerly Minister of Public Works and Labour; the late Member for Kent, East, Mr. Philip J. Henry; the late Member for Bruce, North, Mr. Frederick W. Elliott, and the late Member for Leeds, Mr. Frederick J. Skinner.

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The following Bills were severally introduced and read the first time:—

Bill (No. 47), intituled "The Battle of Ridgeway Memorial Parks Act." *Mr. Henry.*

*Ordered*, That the Bill be read a second time on Monday next.

Bill (No. 48), intituled "An Act to amend The Public Authorities Protection Act." *Mr. Price (Parkdale).*

*Ordered*, That the Bill be read a second time on Monday next.

Bill (No. 49), intituled "An Act to amend The Trustees Act." *Mr. Price (Parkdale).*

*Ordered*, That the Bill be read a second time on Monday next.

Bill (No. 50), intituled "The Tile Drainage Act, 1934." *Mr. Macaulay.*

*Ordered*, That the Bill be read a second time on Monday next.

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The Order of the Day for the Consideration of the Speech of The Honourable the Lieutenant-Governor at the opening of the Session having been read,

Mr. Ellis moved, seconded by Mr. Davis,



That an humble Address be presented to The Honourable the Lieutenant-Governor as follows:—

*To The Honourable Herbert Alexander Bruce,  
a Colonel in the Royal Army Medical Corps, F.R.C.S. (Eng.),  
Lieutenant-Governor of the Province of Ontario.*

We, His Majesty's most dutiful and loyal subjects, the Legislative Assembly of the Province of Ontario, now assembled, beg leave to thank Your Honour for the gracious speech Your Honour has addressed to us.

And a Debate having ensued, it was, on the motion of Mr. McQuibban,  
*Ordered*, That the Debate be adjourned until Tuesday next.

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The House then adjourned at 5.55 p.m.

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### MONDAY, FEBRUARY 5TH, 1934

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PRAYERS.

3 O'CLOCK P.M.

The following Petitions were severally brought up and laid upon the Table:—

By Mr. Wilson (Windsor), the Petition of the Municipal Corporation of the Town of Walkerville; also, the Petition of the Municipal Corporation of the Village of St. Clair Beach.

By Mr. Black, the Petition of the Municipal Corporation of the City of Kingston.

By Mr. Moore, the Petition of the Municipal Corporation of the City of London.

By Mr. Jamieson, the Petition of the Municipal Corporation of the Town of Orillia.

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The following Petitions were read and received:—

Of the Mount McKay and Kakabeka Falls Railway Company, praying that an Act may pass extending the time for the completion of the said railway for a further period of eight years and extending the time for operation by steam for a similar period.

Of the Roman Catholic Episcopal Corporation of Hamilton, praying that an Act may pass authorizing the Petitioners to borrow money on its credit and to otherwise extend its financial powers.

Of the Municipal Corporation of the City of Oshawa, praying that an Act may pass authorizing the City to appoint a City Administrator, to change the method of electing the City Council and for other purposes.

Of the Industrial Mortgage and Trust Company, and the East Lambton Farmers' Loan and Savings Company, praying that an Act may pass confirming the purchase by the Industrial Mortgage and Trust Company of the effects of the East Lambton Farmers' Loan and Savings Company.

Of the Municipal Corporation of the City of Brantford, praying that an Act may pass authorizing a debenture issue of \$529,712.00, authorizing a change in the personnel of the City Council and for other purposes.

Of the Municipal Corporation of the Township of Etobicoke, praying that an Act may pass validating a debenture by-law for an amount of \$37,585.00, to validate tax sales, and for other purposes.

Of the Municipal Corporation of the Town of Prescott, praying that an Act may pass validating and confirming By-law No. 921 of the Petitioners.

Of the Municipal Corporation of the Town of Ojibway, praying that an Act may pass extending the Town's special Act for a further term of five years and separating the Town from the County of Essex for municipal purposes.

Of the Municipal Corporation of the Town of Weston, praying that an Act may pass to validate debenture by-laws to the amount of \$17,000.00.

Of the Municipal Corporation of the City of Welland, praying that an Act may pass to validate an agreement between the Petitioners and the Plymouth Cordage Company to provide for a fixed assessment on the lands of the Company.

Of the Hamilton By-Product Coke Ovens, Limited, praying that an Act may pass validating and confirming certain mortgage indentures made between the Petitioners and the Central Republic Trust Company of Illinois and the National Trust Company, Limited.

Of the Municipal Corporation of the Township of Teck, praying that an Act may pass to validate debenture by-laws to the amount of \$115,000.00 and for other purposes.

Of the Municipal Corporation of the City of Hamilton, praying that an Act may pass altering the method of appointing the Hamilton Board of Health and authorizing certain refunds of local improvement taxes.

Of the Municipal Corporation of the Town of New Toronto, praying that an Act may pass authorizing the deferment of principal payments of certain debenture payments and to validate tax sales.

Of the Municipal Corporation of the City of St. Thomas, praying that an Act may pass authorizing the City to guarantee debentures of the Canada Vitrified Products, Limited, to the amount of \$45,000.00.

Of Kenora Young Men's Christian Association, praying that an Act may pass incorporating the Petitioners and granting them exemption from taxes.

Of George E. Cadieux, Matthew McClure, George Gardiner, *et al*, praying that an Act may pass incorporating as a village that part of the Township of Stephenson known as the unincorporated Village of Port Sydney.

Of the Municipal Corporation of the Village of Woodbridge, praying that an Act may pass validating an agreement of settlement of a suit between the Petitioners and certain parties.

Of the Municipal Corporation of the Township of North York, praying that an Act may pass validating debenture by-laws to the amount of \$187,955.00, altering the method of making income assessments and for other purposes.

Of the Municipal Corporation of the Town of Collingwood, praying that an Act may pass validating a debenture by-law to the amount of \$37,000.00.

Of the Municipal Corporation of the Township of York, praying that an Act may pass to validate debenture by-laws to the amount of \$599,201.38, to form a Board of Education and for other purposes.

Of the Bankers Trust Company, praying that an Act may pass altering the amount of security required to be given by the Company in order to do business in the Province of Ontario.

Of the Municipal Corporation of the Village of Forest Hill, praying that an Act may pass authorizing the purchase of certain lands, the transfer of a certain special fund to general account and for other purposes.

Of the Petition of the University of Regiopolis, praying that an Act may pass changing the name of the University to Canada University, repealing some of the present Acts of the University, exempting its lands from expropriation by municipal authorities and for other purposes.

Of the Municipal Corporation of the City of St. Catharines, praying that an Act may pass validating certain by-laws of the Petitioners, granting fixed assessments, altering the manner of appointing the St. Catharines Waterworks Commissioners, and for other purposes.

Of William D. Pilkey, *et al*, praying that an Act may pass validating an agreement to fix the assessment on certain properties in the Township of McIrvine.

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Mr. Kennedy (Peel), from the Select Committee appointed to strike the Standing Committees of the House, presented their report which was read as follows and adopted:—



Your Committee recommends that the Standing Committees of the House as listed hereunder be composed as follows:—

#### COMMITTEE ON PRIVILEGES AND ELECTIONS

*Honourable Mr. Henry, Messrs. Aubin, Berry, Black, Blakelock, Blanchard, Bragg, Burt, Calder, Case, Challies, Clark, Craig, Davis, Fraleigh, Freele, Ireland, Jutten, McCrea, Murphy (St. Patrick), Newman, Nesbitt, Oakley, Oliver, Price (Parkdale), Richardson, Sanderson, Sangster, Scholfield, Seguin, Shaver, Shields, Sinclair, Singer, St. Denis, Strickland, Taylor, Wilson (Lincoln)—38.*

The Quorum of the said Committee to consist of nine Members.

#### COMMITTEE ON RAILWAYS

*Honourable Mr. Henry, Messrs. Blanchard, Calder, Challies, Clark, Cooke, Craig, Davis, Ecclestone, Elliott (Rainy River), Ellis, Fraleigh, Freele, Graham, Graves, Hambly, Hill, Hipel, Hutchinson, Ireland, Jutten, Kennedy (Temiskaming), Kenning, Laughton, Lyons, Macaulay, Mackay, Mahony, Martin (Hamilton), Martin (Brantford), Medd, Moore, Murphy (Beaches), Murray, McArthur, McBrien, McCrea, McLean, Nesbitt, Oakley, Poisson, Price (Parkdale), Reid, Richardson, Ross, St. Denis, Scholfield, Shields, Sinclair, Smith (Toronto), Taylor, Waters, Wilson (London), Wright—54.*

The Quorum of said Committee to consist of nine Members.

#### COMMITTEE ON PRIVATE BILLS

*Honourable Mr. Henry, Messrs. Acres, Blakelock, Baird, Baxter, Berry, Black, Blanchard, Bragg, Calder, Campbell, Case, Challies, Clark, Colliver, Cooke, Craig, Ecclestone, Elliott (Rainy River), Ellis, Finlayson, Graves, Fraleigh, Harrison, Heighington, Hill, Hipel, Hogarth, Honeywell, Ireland, Jamieson, Jutten, Kennedy (Peel), Kenning, Macaulay, Mahony, Martin (Hamilton), Martin (Brantford), Morrison, Moore, Munro, Murphy (Beaches), McArthur, McBrien, McCrea, McNaughton, McMillen, McQuibban, Newman, Nesbitt, Nixon, Oakley, Oliver, Price (Parkdale), Price (West York), Poisson, Raven, Reid, Robb, Robertson, Ross, Schofield, Seguin, Shaver, Shields, Simpson, Sinclair, Singer, St. Denis, Slack, Smith (Essex), Smith (Toronto), Spence, Staples, Stedman, Strickland, Taylor, Tweed, Vaughan, Waters, Willson (Niagara Falls), Wilson (Windsor), Wright—83.*

The Quorum of said Committee to consist of nine Members.

#### COMMITTEE ON PUBLIC ACCOUNTS

*Honourable Mr. Henry, Messrs. Acres, Baird, Berry, Black, Blanchard, Bragg, Burt, Calder, Campbell, Case, Colliver, Craig, Davis, Ecclestone, Elliott (Rainy River), Ellis, Finlayson, Fraleigh, Freele, Graham, Heighington, Hill, Hipel, Honeywell, Hutchinson, Ireland, Jamieson, Jutten, Kennedy (Peel), Kenning, Lancaster, Lyons, Macaulay, MacKay, Martin (Hamilton), Martin (Brantford), McArthur, Moore, Morrison, Munro, Murphy (Beaches), Murphy (St. Patrick), Murray, McBrien, McCrea, McLean, McNaughton, McQuibban, Nesbitt, Newman, Nixon, Oakley, Oliver, Price (Parkdale), Price (West York), Reid, Robb, Robertson,*

*St. Denis, Sangster, Seguin, Shaver, Simpson, Sinclair, Singer, Spence, Slack, Smith (Essex), Smith (Toronto), Strickland, Tweed, Willson (Niagara Falls), Wilson (Windsor)—74.*

The Quorum of the said Committee to consist of nine Members.

#### COMMITTEE ON PRINTING

*Honourable Mr. Henry, Messrs. Aubin, Blanchard, Colliver, Elliott (Rainy River), Hambly, Lancaster, Martin (Hamilton), Medd, Moore, McArthur, McNaughton, McQuibban, Robertson, Simpson, Sinclair, Singer, Spence, Stedman, Tweed, Waters, Wright—22.*

The Quorum of the said Committee to consist of five Members.

#### COMMITTEE ON MUNICIPAL LAW

*Honourable Mr. Henry, Messrs. Acres, Baird, Baxter, Bell, Burt, Campbell, Calder, Case, Challies, Clark, Colliver, Cooke, Craig, Davis, Ecclestone, Elliott (Rainy River), Ellis, Finlayson, Graham, Graves, Hambly, Heighington, Hill, Honeywell, Hutchinson, Ireland, Jamieson, Jutten, Kennedy (Peel), Kennedy (Temiskaming), Lancaster, Laughton, Lyons, Macaulay, Mackay, Mahony, Medd, Morrison, Munro, Murphy (Beaches), Murphy (St. Patrick), Murray, McArthur, McBrien, McCrea, McLean, Nesbitt, Oakley, Poisson, Price (Parkdale), Price (West York), Raven, Reid, Richardson, Robb, Robertson, Ross, Sanderson, Sangster, Scholfield, Seguin, Shaver, Shields, Sinclair, Slack, Smith (Essex), Smith (Toronto), Staples, Stedman, Vaughan, Wilson (London), Wilson (Windsor), Wright—74.*

The Quorum of the said Committee to consist of nine Members.

#### COMMITTEE ON LEGAL BILLS

*Honourable Mr. Henry, Messrs. Baird, Ellis, Finlayson, Heighington, Honeywell, Hutchinson, Macaulay, Martin (Hamilton), Moore, Morrison, Munro, McQuibban, McBrien, McCrea, Murphy (St. Patrick), Nesbitt, Nixon, Price, Seguin, Simpson, Sinclair, Singer, Smith (South Essex), Slack, Strickland, Tweed, Wilson (Windsor)—28.*

The Quorum of the said Committee to consist of five Members.

#### COMMITTEE ON AGRICULTURE AND COLONIZATION

*Honourable Mr. Henry, Messrs. Acres, Baxter, Bell, Black, Blanchard, Blakelock, Bragg, Burt, Calder, Campbell, Challies, Cooke, Colliver, Craig, Davis, Ecclestone, Fraleigh, Freele, Graham, Hambly, Honeywell, Harrison, Hill, Hogarth, Hutchinson, Ireland, Jamieson, Kennedy (Peel), Kennedy (Temiskaming), Lancaster, Laughton, Lyons, Mackay, Mahony, Murray, McLean, McMillen, McNaughton, McQuibban, Newman, Nixon, Oliver, Poisson, Richardson, Raven, Robb, Ross, St. Denis, Sanderson, Sangster, Scholfield, Shields, Simpson, Sinclair, Seguin, Smith (Essex), Smith (Toronto), Spence, Stedman, Taylor, Vaughan, Waters, Willson (Niagara Falls), Wilson (Lincoln), Wilson (London), Wright—66.*

The Quorum of said Committee to consist of nine Members.



## COMMITTEE ON FISH AND GAME

*Honourable Mr. Henry, Messrs. Acres, Aubin, Bell, Black, Blakelock, Bragg, Burt, Calder, Campbell, Challies, Colliver, Cooke, Davis, Ellis, Ecclestone, Elliott (Rainy River), Finlayson, Fraleigh, Graham, Graves, Hambly, Harrison, Hill, Hipel, Hogarth, Hutchinson, Ireland, Jutten, Kennedy (Temiskaming), Kenning, Lancaster, Laughton, Lyons, Mahony, McCrea, Munro, McLean, McMillen, McNaughton, McQuibban, McBrien, Murphy (Beaches), Murray, Newman, Oakley, Oliver, Poisson, Raven, Reid, Robb, Robertson, Ross, Sanderson, Sangster, Seguin, Simpson, Sinclair, Smith (Essex), Spence, Staples, Stedman, Strickland, Taylor, Vaughan, Willson (Niagara Falls), Wilson (Lincoln), Wilson (London)*—68.

The Quorum of said Committee to consist of seven Members.

## COMMITTEE ON LABOUR

*Honourable Mr. Henry, Messrs. Baird, Baxter, Blakelock, Campbell, Harrison, Hutchinson, Jutten, Macaulay, Medd, McBrien, McCrea, McNaughton, McQuibban, Morrison, Murphy (Beaches), Murphy (St. Patrick), Murray, Oakley, Oliver, Robertson, Sinclair, Spence, Tweed, Vaughan, Willson (Niagara Falls)*—26.

The Quorum of said Committee to consist of seven Members.

## COMMITTEE ON STANDING ORDERS

*The Honourable Mr. Henry, Messrs. Aubin, Berry, Blanchard, Burt, Craig, Davis, Ecclestone, Elliott (Rainy River), Freele, Harrison, Campbell, Hipel, Jamieson, Kennedy (Temiskaming), Laughton, Martin (Brantford), Medd, McArthur, McBrien, McLean, McMillan, McNaughton, Newman, Raven, Richardson, Ross, Sinclair, Smith (Essex), Smith (Greenwood), Staples, Strickland, St. Denis, Taylor, Tweed, Vaughan, Willson (Niagara Falls), Wilson (Lincoln), Wright*—39.

The Quorum of said Committee to consist of seven Members.

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On motion of Mr. Henry, seconded by Mr. Price (Parkdale),

*Ordered*, That a Select Committee be appointed to direct the expenditure of any sum set apart by the Estimates for Art Purposes to be composed as follows:—

*Messrs. Baird, Baxter, Challies, Clark, Kennedy (Peel), Honeywell, Martin (Brantford), Newman and Nixon.*

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On motion of Mr. Henry, seconded by Mr. Price (Parkdale),

*Ordered*, That a Select Committee be appointed to act with Mr. Speaker in the control and management of the Library, to be composed as follows:—

*Messrs. Bragg, Harrison, Moore, McNaughton, Price (Parkdale), Richardson, Shields and Taylor.*

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The following Bill was introduced and read the first time:—

Bill (No. 51), intituled "An Act to amend The Summary Convictions Act."  
*Mr. Price (Parkdale).*

*Ordered,* That the Bill be read a second time To-morrow.

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On motion by Mr. Henry, seconded by Mr. McCrea,

*Ordered,*

That the charges set out in a Statutory Declaration made by one Daniel McCaughrin as published in The Globe newspaper in its issue of Friday, December 22nd, 1933, be referred to the Standing Committee on Legal Bills, with full power to fully investigate these charges, to summon witnesses, to direct the production of all papers and documents relating to the charges, and to report to this House with all convenient speed the evidence in connection therewith.

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The following Bills were severally read the second time:—

Bill (No. 47), The Battle of Ridgeway Memorial Parks Act.

Referred to a Committee of the Whole House To-morrow.

Bill (No. 48), An Act to amend The Public Authorities Protection Act.

Referred to a Committee of the Whole House To-morrow.

Bill (No. 49), An Act to amend The Trustees Act.

Referred to a Committee of the Whole House To-morrow.

Bill (No. 50), The Tile Drainage Act, 1934.

Referred to a Committee of the Whole House To-morrow.

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The Provincial Secretary presented to the House, by command of The Honourable the Lieutenant-Governor:—

Return to Order that there be laid before the House a Return showing:  
1. Copies of all correspondence relating to agreements between the Government and the Trenton Cold Storage Company, Limited. 2. Full particulars regarding

any loan of money made by the Government to the Trenton Cold Storage Company, Limited. 3. Full particulars relating to any lease of space by the Government from the Trenton Cold Storage Company, Limited. (*Sessional Papers No. 33.*)

Also, Regulations and Orders-in-Council made under authority of The Department of Education Act or Acts relating to Public Schools, Separate Schools or High Schools. (*Sessional Papers No. 32.*)

Also, Annual Report of the Temiskaming and Northern Ontario Railway Commission for year ending October 31st, 1933. (*Sessional Papers No. 23.*)

Also, Orders-in-Council made pursuant to Ontario Insurance Act and The Guarantee Companies Securities Act. (*Sessional Papers No. 30.*)

Also, Report of the Distribution of Revised Statutes and Sessional Papers, October 31st, 1933. (*Sessional Papers No. 31.*)

Also, Report of the Board of Governors of the University of Toronto for year ending June 30th, 1933. (*Sessional Papers No. 12.*)

Also, Return to an Order that there be laid before the House a Return showing: 1. What fees or remunerations were paid in connection with the sale of Law Stamps during the years 1930 and 1931, giving names and addresses and occupations of recipients and amounts paid to each recipient. 2. What services do such persons render to entitle them to such fees or remuneration. (*Sessional Papers No. 36.*)

Also, Return to an Order that there be laid before the House a Return showing: What is the amount in each of the years 1929, 1930, 1931, and 1932 by which the totals of Revenue and Expenditure are reduced by the adoption of the new system of Bookkeeping by which cross-entries are eliminated. (*Sessional Papers No. 34.*)

Also, Return to an Order that there be laid before the House a Return showing: 1. What was the cost of the Ontario Government Garage in the years 1929 to 1932 inclusive. 2. How many new trucks, motorcycles and automobiles were purchased during the years 1929 to 1932 inclusive. 3. What was the cost of each automobile purchased during the years 1929 to 1932 inclusive. (*Sessional Papers No. 35.*)

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The House then adjourned at 4.10 p.m.

TUESDAY, FEBRUARY 6TH, 1934

PRAYERS.

3 O'CLOCK P.M.

The following Petition was brought up and laid upon the Table:—

By Mr. Hogarth, the Petition of the Municipal Corporation of the City of Port Arthur.

The following Petitions were read and received:—

Of the Municipal Corporation of the Town of Walkerville, praying that an Act may pass authorizing certain debenture by-laws authorizing a refunding of debenture debt and for other purposes.

Of the Municipal Corporation of the Village of St. Clair Beach, praying that an Act may pass granting the Village separation from the County of Essex for municipal purposes or to give the Village representation on the Essex County Council.

Of the Municipal Corporation of the City of Kingston, praying that an Act may pass authorizing the purchase of certain lands by the City, the validation of a debenture by-law of \$75,000.00, and the granting of fixed assessments.

Of the Municipal Corporation of the City of London, praying that an Act may pass to validate a debenture by-law of \$25,000.00, to validate tax sales, and for other purposes.

Of the Municipal Corporation of the Town of Orillia, praying that an Act may pass authorizing the Petitioners to construct and maintain a plant for the generation of electrical power, and to sell the same within a radius of sixty miles from the Town and for other purposes.

Mr. McBrien from the Standing Committee on Standing Orders presented their First Report, which was read as follows, and adopted:—

Your Committee has carefully examined the following Petitions and finds the notices as published in each case sufficient:—

Of the Mount McKay and Kakabeka Falls Railway Company, praying that an Act may pass extending the time for the completion of the said railway for a period of eight years, and extending the time for operation by steam for a similar period.

Of the Roman Catholic Episcopal Corporation of Hamilton, praying that an Act may pass authorizing the Petitioners to borrow money on its credit and to otherwise extend its financial powers.



Of the Municipal Corporation of the Town of Prescott, praying that an Act may pass validating and confirming By-law No. 921 of the Petitioners.

Of the Municipal Corporation of the Town of Ojibway, praying that an Act may pass extending the Town's special Act for a further term of five years and separating the Town from the County of Essex for municipal purposes.

Of the Hamilton By-Product Coke Ovens, Limited, praying that an Act may pass validating and confirming certain mortgage indentures made between the Petitioners and the Central Republic Trust Company of Illinois and the National Trust Company, Limited.

Of George E. Cadieux, Matthew McClure, George Gardiner, *et al*, praying that an Act may pass incorporating as a Village that part of the Township of Stephenson known as the unincorporated Village of Port Sydney.

Of the Municipal Corporation of the Town of Collingwood, praying that an Act may pass validating a debenture by-law to the amount of \$37,000.00.

Of the Municipal Corporation of the Township of Etobicoke, praying that an Act may pass validating a debenture by-law for an amount of \$37,585.00, to validate tax sales, and for other purposes.

Of the Municipal Corporation of the Town of New Toronto, praying that an Act may pass authorizing the deferment of principal payments of certain debenture payments and to validate tax sales.

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The following Bills were severally introduced and read the first time:—

Bill (No. 52), intituled "An Act to amend The Registry Act." *Mr. Sinclair.*

*Ordered*, That the Bill be read a second time To-morrow.

Bill (No. 53), intituled "An Act to amend The Judicature Act." *Mr. Sinclair.*

*Ordered*, That the Bill be read a second time To-morrow.

Bill (No. 54), intituled "An Act to amend The Assessment Act." *Mr. Sinclair.*

*Ordered*, That the Bill be read a second time To-morrow.

Bill (No. 1), intituled "An Act respecting the Mount McKay and Kakabeka Falls Railway Company." *Mr. Spence.*

Referred to the Committee on Private Bills.

Bill (No. 12), intituled "An Act respecting Hamilton By-Product Coke Ovens, Limited." *Mr. Martin* (Hamilton, West).

Referred to the Committee on Private Bills.



Bill (No. 19), intituled "An Act to incorporate the Village of Port Sydney."  
*Mr. Ecclestone.*

Referred to the Committee on Private Bills.

Bill (No. 22), intituled "An Act respecting the Town of Collingwood."  
*Mr. Jamieson.*

Referred to the Committee on Private Bills.

Bill (No. 8), intituled "An Act respecting the Town of Ojibway." *Mr. Reid.*

Referred to the Committee on Private Bills.

Bill (No. 6), intituled "An Act respecting the Township of Etobicoke."  
*Mr. Price (York, West).*

Referred to the Committee on Private Bills.

Bill (No. 2), intituled "An Act respecting the Roman Catholic Episcopal Corporation of the Diocese of Hamilton." *Mr. Martin (Hamilton, West).*

Referred to the Committee on Private Bills.

Bill (No. 7), intituled "An Act respecting the Town of Prescott." *Mr. Sanderson.*

Referred to the Committee on Private Bills.

Bill (No. 15), intituled "An Act respecting the Town of New Toronto."  
*Mr. Price (York, West).*

Referred to the Committee on Private Bills.

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The Order of the Day for resuming the Adjourned Debate on the Motion for consideration of the Speech of The Honourable the Lieutenant-Governor at the opening of the Session, having been read.

The Debate was resumed and, after some time, Mr. McQuibban moved, seconded by Mr. Robertson.

That all the words of the Motion after the first word "That" be struck out and the following substituted therefor:—

"This House views with alarm the ever-increasing burden of taxation and debt which the policies of this Government have imposed upon the people and condemns the utter failure of the Government to deal efficiently and in a business-like manner with the problems of vital concern to the people."

And a Debate arising, after some time it was on the motion of Mr. Henry,  
*Ordered*, That the Debate be further adjourned until Thursday next.

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The House then adjourned at 6.15 p.m.

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WEDNESDAY, FEBRUARY 7TH, 1934

PRAYERS.

3 O'CLOCK P.M.

The following Petition was brought up and laid upon the Table:—

By Mr. Oakley, the Petition of the Municipal Corporation of the City of Toronto.

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The following Petition was read and received:—

Of the Municipal Corporation of the City of Port Arthur, praying that an Act may pass authorizing a certain fixed assessment, validating a conveyance of lands from the General Hospital of Port Arthur to the Petitioners, authorizing debentures of \$3,404.12, and for other purposes.

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On motion by Mr. Henry, seconded by Mr. Price (Parkdale),

*Ordered*, That Mr. Mahony be elected as Chairman of the Committee of the Whole for the current Session.

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The following Bill was introduced and read the first time:—

Bill (No. 55), intituled "An Act to amend The Insurance Act." *Mr. Price* (Parkdale).

*Ordered*, That the Bill be read a second time To-morrow.

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The following Bill was read the second time:—

Bill (No. 51), An Act to amend The Summary Convictions Act.

Referred to a Committee of the Whole House To-morrow.

The House resolved itself into a Committee to consider Bill (No. 47), The Battle of Ridgeway Memorial Park Act, and, after some time spent therein, Mr. Speaker resumed the Chair; and Mr. Black reported, That the Committee had directed him to report the Bill with certain amendments.

*Ordered*, That the amendments be taken into consideration forthwith.

The amendments, having been read the second time, were agreed to.

*Ordered*, That the Bill be read the third time To-morrow.

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The House resolved itself into a Committee to consider Bill (No. 48), An Act to amend The Public Authorities Protection Act, and, after some time spent therein, Mr. Speaker resumed the Chair; and Mr. Black reported, That the Committee had directed him to report the Bill without any amendment.

*Ordered*, That the Bill be read the third time To-morrow.

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The House resolved itself into a Committee to consider Bill (No. 49), An Act to amend The Trustee Act, and, after some time spent therein, Mr. Speaker resumed the Chair; and Mr. Black reported, That the Committee had directed him to report the Bill without any amendment.

*Ordered*, That the Bill be read the third time To-morrow.

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The House resolved itself into a Committee to consider Bill (No. 50), The Tile Drainage Act, 1934, and, after some time spent therein, Mr. Speaker resumed the Chair; and Mr. Black reported, That the Committee had directed him to report the Bill without any amendment.

*Ordered*, That the Bill be read the third time To-morrow.

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The House then adjourned at 3.40 p.m.

THURSDAY, FEBRUARY 8TH, 1934

PRAYERS.

3 O'CLOCK P.M.

The following Petition was brought up and laid upon the Table:—

By Mr. Heighington, the Petition of the Municipal Corporation of the Town of Southampton.

The following Petition was read and received:—

Of the Municipal Corporation of the City of Toronto, praying that an Act may pass validating tax sales prior to December 31st, 1932, annexing certain land to the City, extending the City's agreement with the Toronto Transportation Commission and for other purposes.

On motion by Mr. Kennedy (Peel), seconded by Mr. Robb,

*Ordered*, That the names of Mr. Aubin and Mr. Medd be added to the Committee on Agriculture and Colonization.

The following Bills were severally introduced and read the first time:—

Bill (No. 56), intituled "An Act to amend The Juvenile Courts Act." *Mr. Price* (Parkdale).

*Ordered*, That the Bill be read a second time To-morrow.

Bill (No. 57), intituled "An Act respecting the Ontario Institute of Radio Therapy." *Mr. Robb*.

*Ordered*, That the Bill be read a second time To-morrow.

The Order of the Day for resuming the Adjourned Debate on the Amendment to the Motion for the consideration of the Speech of The Honourable the Lieutenant-Governor, at the opening of the Session, having been read,

And the Debate having been continued, after some time, Mr. Henry moved, seconded by Mr. Price (Parkdale),

That all the words in the Amendment after the first word "That" be omitted and the following be substituted therefor:

The following be added to the Address: "And this House accepts with satisfaction Your Honour's encouraging references to the progress being made towards the recovery of business and industry, and joins cordially in the hope that our country will soon be on the road to enduring prosperity."

And a Debate arising, after some time, it was on the motion of Mr. Newman,

*Ordered*, That the Debate be further adjourned until Tuesday next.

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The House then adjourned at 5.50 p.m.

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FRIDAY, FEBRUARY 9TH, 1934

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PRAYERS.

3 O'CLOCK P.M.

The following Petition was read and received:—

Of the Municipal Corporation of the Town of Southampton, praying that an Act may pass validating a by-law of the Petitioners to guarantee debentures of the Bell Furniture Company, Limited, to the amount of \$30,000.00.

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On motion by Mr. Henry, seconded by Mr. Price (Parkdale),

*Ordered*, That the Committee on Legal Bills, while considering the charges made by one Daniel McCaughrin of Orillia, be granted permission to sit concurrently with the House.

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The following Bill was introduced and read the first time:—

Bill (No. 58), intituled "An Act to amend The Provincial Loans Act."  
*Mr. Henry.*

*Ordered*, That the Bill be read a second time on Monday next.

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Mr. Baxter asked the following Question (No. 1):—

1. What salary has been paid to Dr. J. M. McCutcheon, Civil Service Commissioner, during years 1930, 1931, 1932 and 1933. 2. Does he pass on qualifications of persons appointed to positions of sheriffs, jailers, wardens,



guards and hospital nurses. 3. What was the total cost of his department during the above-mentioned years.

The Honourable the Prime Minister replied as follows:—

1. 1930, \$6,000.00; 1931, \$6,000.00; 1932, \$5,829.20; 1933, \$5,433.35.  
2. The Civil Service Commissioner passes upon the qualifications of all persons appointed to positions as sheriffs, jailers (except county jailers), guards in Ontario Reformatories and District Jails, and as nurses in the Ontario Hospitals. He does not pass upon the qualifications of persons appointed as wardens. 3, 1930, \$16,943.97; 1931, \$17,663.71; 1932, \$15,649.20; 1933, \$14,418.11.

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Mr. Hipel asked the following Question (No. 3):—

1. (a) What is the amount of the debt retirement sinking fund that applies to the Provincial Highway debt. (b) What is the amount that applies to the Northern Development road debt.

The Honourable the Prime Minister replied as follows:—

The debt retirement scheme, temporarily suspended owing to economic conditions, covers the Provincial Debt as a whole, providing for retirement in a flat period of forty years, regardless of the nature of the Capital Assets created. The annual retirement provision out of Revenue is not earmarked to specific classes of Capital Expenditures.

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Mr. Hipel asked the following Question (No. 4):—

1. (a) What were the total expenses of the Budgeting Committee comprising H. J. Chater, Secretary; Dr. J. M. McCutcheon, Civil Service Commissioner, and John T. White, K.C., Solicitor, during their tour of the Western Provinces. (b) What remuneration did each of the members of this Committee receive for their time on this western tour. (c) On what date did they leave for their tour of the Western Provinces and on what date did they return?

The Honourable the Prime Minister replied as follows:—

1. (a) \$804.64. (b) No extra remuneration paid. (c) Left July 20th, 1933, returned August 5th, 1933.

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Mr. Sangster asked the following Question (No. 6):—

1. What sums were paid and to what persons and companies were such sums paid by the Tourist and Publicity Bureau during the years 1929, 1930, 1931,

1932 and 1933 for advertising, pamphlets, publicity, etc. 2. What was the salary and travelling expenses of Mr. C. C. Hele, the Director of the Bureau, during the above-mentioned years. 3. Who were members of the staff, full time or part time, of the Bureau and what was their remuneration during the above-mentioned years.

The Honourable the Prime Minister replied as follows:—

1. 1929, \$90,336.64; 1930, \$82,347.97; 1931, \$52,551.41; 1932, \$52,948.02; 1933, \$37,156.27. Full details are contained in the Public Accounts for the respective years. 2. No salary attaches to the office of Director of the Publicity and Tourist Bureau. Mr. Hele is paid \$4,000.00 a year as general secretary of the Department, less assessments levied on all salaries by Order-in-Council. Travelling expenses of the Director were as follows: 1929, Nil; 1930, \$170.43; 1931, \$69.97; 1932, \$198.49; 1933, \$262.85. 3. Salaries paid (less assessments):

	1929	1930	1931	1932	1933
L. B. Jackes.....	\$2,016 72	\$2,400 00	\$2,400 00	\$2,400 00	\$2,400 00
R. E. Houston.....	1,200 00	1,300 00	1,400 00	1,400 00	1,400 00
L. R. Arnett.....	1,500 00	1,950 00	1,800 00	1,800 00	1,419 23
S. Galvin.....	.....	696 76	825 00	825 00	709 62

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The following Bill was read the second time:—

Bill (No. 55), An Act to amend The Insurance Act.

Referred to a Committee of the Whole House on Monday next.

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The House then adjourned at 3.45 p.m.

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MONDAY, FEBRUARY 12TH, 1934

PRAYERS.

3 O'CLOCK P.M.

The following Petitions were severally brought up and laid upon the Table:—

By Mr. McQuibban, the Petition of the Municipal Corporation of the Town of Harriston.

By Mr. Jutten, the Petition of the Brantford Young Men's Christian Association.

By Mr. Ellis, the Petition of the Municipal Corporation of the City of Ottawa.

By Mr. Calder, the Petition of the Municipal Corporation of the City of Chatham.

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Mr. Simpson asked the following Question (No. 5):—

1. (a) What was the total cost of building the new barn and stables recently erected on the farm at the Ontario Hospital at Orillia. (b) Were public tenders called for the erection of these buildings. (c) At what price was the contract let. (d) To whom was the contract awarded. (e) What was the value of the old barns which were destroyed by fire. (f) What amount of fire insurance was carried on the old barns which were destroyed by fire. (g) What amount of fire insurance is carried on the new buildings.

The Honourable the Prime Minister replied as follows:—

1. (a) \$37,140.20. (b) Yes. (c) Dairy barn serving Institution of 2,186 patients and staff with equipment for 72 head of cattle, 6 box stalls, 6 isolation stalls, 2 bull pens complete with milk house, hay mow, feed storage and root house, \$29,300.00. Pressure-reducing valves, anchors, wooden ceilings, deep trusses, filling, lightning rods, deep foundations, repainting, roof hatch, heavy hardware, tile, door and supports, \$2,097.72. Two reinforced concrete silos, \$3,900.00. Electrical work, \$1,490.00. Advertising and incidentals, \$352.48. (d) Barn to M. H. Braden. Silos to E. Webb and Son. Electrical work to Ritchie and Mould. (e) \$17,000.00. (f) None, as insurance is not carried on hospital property. (g) \$20,000.00. The barn at this location has been destroyed by fire twice and insurance is therefore now carried.

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Mr. Blakelock asked the following Question (No. 9):—

1. Has Ralph S. Carman, Superintendent of Rondeau Park, tendered his resignation from that position. 2. If so, was his action voluntary or was his resignation requested. 3. If he has tendered his resignation what reason did he give for so doing. 4. If his resignation has been received has it been accepted.

The Honourable the Minister of Lands and Forests replied as follows:—

1. Yes. 2. His resignation was voluntary and he will be transferred to the Forestry Branch of the Department. 3. No reason given. 4. His resignation will be accepted and he will be transferred to another branch of the Service, where his technical education and experience will be useful in the public service.

Mr. Campbell asked the following Question (No. 10):—

1. Who is supplying food to the men in the camps at Rondeau Park.
2. What is the price at which the food is supplied.
3. Was the supplying of food let by tender.

The Honourable the Minister of Lands and Forests replied as follows:—

1. R. St. Clair Henderson, Walkerville, Ont.
2. All beds, blankets, stoves and cooking utensils and dishes, etc., and food is supplied at Sixty cents (.60c.) per day per man on a contract agreement. All meats and vegetables are bought from local farmers or dealers.
3. No.

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Mr. Murray asked the following Question (No. 11):—

1. What was the total cost of the extension of the T.N.O. from Cochrane to Moosonee.
2. What was the total cost of the bridge and fill at Moose River.

The Honourable the Prime Minister replied as follows:—

1. \$12,131,482.58. This amount includes construction of 207 miles of railway, all stations, bridges, water tanks, agents' houses, section houses, freight sheds, bunk houses; Moosonee Townsite—clearing of same; hotel and furnishings, lighting plant, grading and graveling streets.
2. \$1,394,716.24. This sum is included in the above amount.

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Mr. Campbell asked the following Question (No. 12):—

1. Was the bridge on Highway No. 3 just west of Blenheim built by contract.
2. (a) If so, what was the amount of contract. (b) Who was the contractor. (c) What is the total cost of the bridge and approach. (d) What was the cost of paving the bridge.

The Honourable the Prime Minister replied as follows:—

1. Yes.
2. (a) \$15,368.04. (b) Hadleys' Chatham, Limited. (c) \$40,194.91, including purchase of property and land damages. (d) \$1,725—included in cost mentioned in question (a).

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Mr. Hipel asked the following Question (No. 13):—

How many acres of land were purchased by the Department of Highways from Mrs. S. G. Kitchen for the sum of \$5,000 as shown in Public Accounts, 1931 and 1932, page L 24.

The Honourable the Prime Minister replied as follows:—



Decimal 33 acres (.33 acres). Price covered purchase of right-of-way through Jackson Wagon Works, including removal of equipment and demolishing of buildings.

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Mr. Oliver asked the following Question (No. 15):—

1. What sum of money was paid to E. G. Long, Esq., K.C., for legal opinion regarding the last Provincial Loan. 2. What was Mr. Long's legal opinion. 3. Does any financial responsibility rest with Mr. Long in case his opinion should be found by the courts to be incorrect.

The Honourable the Prime Minister replied as follows:—

1. Nothing, as bill not rendered. 2. "I am satisfied with the Statutory authority to issue the said interim and definitive debentures and with the sufficiency of the proceedings taken in connection therewith. In my opinion the said definitive and interim debentures when executed as above mentioned are legal, valid and binding direct and general obligations of the Province of Ontario charged on and payable out of the Consolidated Revenue Fund. The form of definitive and interim debentures appearing in the said Orders-in-Council is in my opinion legal and satisfactory." 3. It is not considered advisable to offer expressions of opinion on hypothetical legal questions in the House.

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The following Bill was read the second time:—

Bill (No. 56), An Act to amend The Juvenile Courts Act.

Referred to the Committee of the Whole House To-morrow.

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The House resolved itself into a Committee to consider Bill (No. 51), An Act to amend The Summary Convictions Act, and, after some time spent therein, Mr. Speaker resumed the Chair; and Mr. Black reported, That the Committee had directed him to report the Bill without any amendment.

*Ordered*, That the Bill be read the third time To-morrow.

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The House resolved itself into a Committee to consider Bill (No. 55), An Act to amend The Insurance Act, and, after some time spent therein, Mr. Speaker resumed the Chair; and Mr. Black reported, That the Committee had directed him to report the Bill without any amendment.

*Ordered*, That the Bill be read the third time To-morrow.



The Provincial Secretary presented to the House, by command of The Honourable the Lieutenant-Governor:

Report of the Department of Public Records and Archives, Ontario.  
(*Sessional Papers No. 16.*)

Also, Return to an Order of the House that there be laid before the House a Return showing: 1. From what firms or individuals in Scotland did the Ontario Liquor Control Board buy whiskey or other supplies during the last fiscal year. 2. What was the amount and value of the business done with each firm or individual. 3. Who was the Ontario Representative in each instance and what commissions did each Canadian Representative receive. 4. (a) What were the gross sales from the following Liquor Stores during the last fiscal year: Woodstock, Brantford, Paris. (b) What was the total cost of local administration in each instance. (*Sessional Papers No. 37.*)

Also, Return to an Order of the House that there be laid before the House a Return showing: 1. To whom has the Ontario Liquor Control Board allotted (a) Brewers' Warehouse Licenses in Toronto, Ottawa, London, Windsor, Hamilton, St. Catharines, Niagara Falls, Brantford, Chatham, St. Thomas, Sault Ste. Marie, Sudbury, North Bay, Fort William, Port Arthur, Walkerville, Oshawa, Brockville and East Windsor. (b) Who owns each warehouse. 2. Do the breweries pay fees to the licensees in order (a) to have their beer sold through the warehouses. (b) If so how much are the fees paid. (c) Who receives these fees, the Ontario Liquor Control Board, or the licensee. 3. How much does each licensee receive per case on all beer sold through his warehouse, and to whom does this money go. 4. Do the Brewers pay the cost or percentage of cost of operating these warehouses. 5. (a) Who appoints the staffs of these warehouses. (b) Who sets their rate of pay, and who pays them. (c) What is the average wage paid in each of the warehouses named in No. 1. (*Sessional Papers No. 38.*)

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The House then adjourned at 3.50 p.m.

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TUESDAY, FEBRUARY 13TH, 1934

PRAYERS.

3 O'CLOCK P.M.

The following Petitions were read and received:

Of the Municipal Corporation of the Town of Harriston, praying that an Act may pass authorizing the Town to guarantee a debenture issue of the Royal Sterling Products, Limited, to the amount of \$35,000 00.

Of the Brantford Young Men's Christian Association, praying that an

Act may pass extending the rights of the Petitioners in regard to the holding of real estate.

Of the Municipal Corporation of the City of Ottawa, praying that an Act may pass authorizing debenture by-laws to the amount of \$990,000.00, to validate tax sales, to regulate by by-law the operations of transient traders and for other purposes.

Of the Municipal Corporation of the City of Chatham, praying that an Act may pass authorizing a change in the method of collecting income and business taxes.

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Mr. McBrien from the Standing Committee on Standing Orders presented their Second Report, which was read as follows and adopted:—

Your Committee has carefully examined the following Petitions and finds the notices as published in each case sufficient:—

Of the Municipal Corporation of the City of Oshawa, praying that an Act may pass authorizing the said City to appoint a City Administrator, to change the method of electing the City Council and for other purposes.

Of the Municipal Corporation of the Village of St. Clair Beach, praying that an Act may pass granting the Village separation from the County of Essex for Municipal purposes or to give the Village representation on the Essex County Council.

Of William P. Pilkey, *et al.*, praying that an Act may pass validating an agreement to fix the assessment on certain properties in the Township of McIrvine.

Of the Municipal Corporation of the City of Port Arthur, praying that an Act may pass authorizing a certain fixed assessment, validating a conveyance of lands from the General Hospital of Port Arthur to the Petitioners, authorizing debenture issues of \$3,402.12, and for other purposes.

Of the Kenora Young Men's Christian Association, praying that an Act may pass incorporating the Petitioners and granting them exemption from taxes.

Of the Municipal Corporation of the Village of Forest Hill, praying that an Act may pass authorizing the purchase of certain lands, the transfer of certain special funds to general account and for other purposes.

Of the Municipal Corporation of the City of Toronto, praying that an Act may pass validating tax sales prior to December 31st, 1931, annexing certain land to the City, extending the City's agreement with the Toronto Transportation Commission and for other purposes.

Of the Municipal Corporation of the Town of Weston, praying that an Act may pass validating debenture by-laws to the amount of \$17,000.00.

Of the Municipal Corporation of the Village of Woodbridge, praying that an Act may pass validating an agreement of settlement of a suit between the Petitioners and certain parties.

Of the Industrial Mortgage and Trust Company and the East Lambton Farmers' Loan and Savings Company, praying that an Act may pass confirming the purchase by the Industrial Mortgage and Trust Company of the business and effects of the East Lambton Farmers' Loan and Savings Company.

Of the Municipal Corporation of the Town of Harriston, praying that an Act may pass authorizing the Town to guarantee a debenture issue of the Royal Sterling Products Limited to the amount of \$35,000.00.

Of the Brantford Young Men's Christian Association, praying that an Act may pass extending the rights of the Petitioners in regard to the holding of real estate.

Of the Municipal Corporation of the City of St. Catharines, praying that an Act may pass validating certain by-laws of the Petitioners, granting fixed assessments, altering the manner of appointing the St. Catharines Water Works Commission and for other purposes.

Of the Municipal Corporation of the City of Kingston, praying that an Act may be passed authorizing the purchase of certain lands by the City, the validation of a debenture by-law of \$75,000.00 and the granting of a fixed assessment.

Of the Municipal Corporation of the City of London, praying that an Act may pass to authorize a debenture by-law of \$25,000.00, to validate tax sales and for other purposes.

Of the Municipal Corporation of the City of Brantford, praying that an Act may pass authorizing a debenture issue of \$529,712.00, authorizing a change in the personnel of the City Council and for other purposes.

Of the Municipal Corporation of the Town of Orillia, praying that an Act may pass authorizing the Petitioners to construct and maintain a plant for the generation of electric power and to sell the same within a radius of sixty miles from the Town and for other purposes.

Of the Municipal Corporation of the City of Welland, praying that an Act may pass validating an agreement between the Petitioners and the Plymouth Cordage Company to provide for a fixed assessment on the lands of the Company.

Of the Bankers' Trust Company, praying that an Act may pass altering the amount of security required to be given by the Company in order to do business in the Province of Ontario.

Of the Municipal Corporation of the City of Hamilton, praying that an Act may pass altering the method of appointing the Hamilton Board of Health and authorizing certain refunds of local improvement taxes.



Of the Municipal Corporation of the Town of Walkerville, praying that an Act may pass validating certain debenture by-laws, authorizing a refunding of debenture debt and for other purposes.

Of the Municipal Corporation of the Township of North York, praying that an Act may pass validating debenture by-laws to the amount of \$187,955.00, altering the method of making income tax assessments and for other purposes.

Your Committee recommends that Rule No. 60 of Your Honourable House be suspended in this that the time for presenting Petitions for Private Bills be extended until and inclusive of Tuesday, the 20th day of February next, and that the time for introducing Private Bills be extended until and inclusive of Tuesday, the 27th day of February next.

*Ordered*, That the time for presenting Petitions be extended until and inclusive of Tuesday, the 20th day of February next, and that the time for introducing Private Bills be extended until and inclusive of Tuesday, the 27th day of February next.

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The following Bills were severally introduced and read the first time:—

Bill (No. 3), intituled "An Act respecting the City of Oshawa." *Mr. Sinclair*.

Referred to the Committee on Private Bills.

Bill (No. 25), intituled "An Act respecting the Village of St. Clair Beach." *Mr. Wilson* (Windsor).

Referred to the Committee on Private Bills.

Bill (No. 32), intituled "An Act respecting the Township of McIrvine." *Mr. Elliott*.

Referred to the Committee on Private Bills.

Bill (No. 34), intituled "An Act respecting the City of Port Arthur." *Mr. Hogarth*.

Referred to the Committee on Private Bills.

Bill (No. 18), intituled "An Act to incorporate the Kenora Young Men's Christian Association." *Mr. Hutchinson*.

Referred to the Committee on Private Bills.

Bill (No. 26), intituled "An Act respecting the Village of Forest Hill." *Mr. Oakley*.

Referred to the Committee on Private Bills.

Bill (No. 11), intituled "An Act respecting the City of Toronto." *Mr. Oakley.*

Referred to the Committee on Private Bills.

Bill (No. 9), intituled "An Act respecting the Town of Weston." *Mr. Price* (York, West).

Referred to the Committee on Private Bills.

Bill (No. 20), intituled "An Act respecting the Village of Woodbridge." *Mr. Case.*

Referred to the Committee on Private Bills.

Bill (No. 4), intituled "An Act respecting The Industrial Mortgage and Trust Company and the East Lambton Farmers' Loan and Savings Company." *Mr. McMillen.*

Referred to the Committee on Private Bills.

Bill (No. 28), intituled "An Act respecting the City of St. Catharines." *Mr. Graves.*

Referred to the Committee on Private Bills.

Bill (No. 30), intituled "An Act respecting the City of Kingston." *Mr. Black.*

Referred to the Committee on Private Bills.

Bill (No. 29), intituled "An Act respecting the City of London." *Mr. Moore.*

Referred to the Committee on Private Bills.

Bill (No. 5), intituled "An Act respecting the City of Brantford." *Mr. Julten.*

Referred to the Committee on Private Bills.

Bill (No. 35), intituled "An Act respecting the Town of Orillia." *Mr. Jamieson.*

Referred to the Committee on Private Bills.

Bill (No. 10), intituled "An Act respecting the City of Welland." *Mr. Vaughan.*

Referred to the Committee on Private Bills.



Bill (No. 24), intituled "An Act respecting the Bankers' Trust Company." *Mr. Heighington.*

Referred to the Committee on Private Bills.

Bill (No. 33), intituled "An Act respecting the Brantford Young Men's Christian Association." *Mr. Jutten.*

Referred to the Committee on Private Bills.

Bill (No. 14), intituled "An Act respecting the City of Hamilton." *Mr. Jutten.*

Referred to the Committee on Private Bills.

Bill (No. 31), intituled "An Act respecting the Town of Harriston." *Mr. McQuibban.*

Referred to the Committee on Private Bills.

Bill (No. 16), intituled "An Act respecting the Town of Walkerville." *Mr. Wilson (Windsor).*

Referred to the Committee on Private Bills.

Bill (No. 21), intituled "An Act respecting the Township of North York." *Mr. Case.*

Referred to the Committee on Private Bills.

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The following Bill was read the second time:—

Bill (No. 57), An Act respecting the Ontario Institute of Radio Therapy.

Referred to a Committee of the Whole House To-morrow.

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The Order of the Day for resuming the Adjourned Debate on the Amendment to the Motion for the consideration of the Speech of The Honourable the Lieutenant-Governor, at the opening of the Session, having been read,

And the Debate having been continued, after some time, it was on the motion of Mr. McArthur,

*Ordered,* That the Debate be further adjourned until Thursday next.

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On motion of Mr. Henry, seconded by Mr. Price (Parkdale),

*Ordered*, That the name of Mr. Murphy (St. Patrick) be substituted for that of Mr. Côté on the Sub-committee of the Committee on Legal Bills appointed on April 11th, 1933, for the purpose of considering proposed amendments to The Judicature Act, and The Division Courts Act.

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On motion of Mr. Henry, seconded by Mr. Price (Parkdale),

*Ordered*, That the name of Mr. Murphy (St. Patrick) be substituted for that of Mr. Côté on the Sub-committee of the Committee on Legal Bills appointed on April 5th, 1933, for the purpose of considering proposed amendments to The Jurors' Act.

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The House then adjourned at 6.00 p.m.

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### WEDNESDAY, FEBRUARY 14TH, 1934

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PRAYERS.

3 O'CLOCK P.M.

The following Petitions were severally brought up and laid upon the Table:—

By Mr. Reid, the Petition of William Edwards MacDonald.

By Mr. Ecclestone, the Petition of the Municipal Corporation of the Township of Stephenson.

By Mr. McNaughton, the Petition of the Municipal Corporation of the Town of Cornwall.

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Mr. Martin (Hamilton, West) from the Standing Committee on Printing presented their First Report, which was read as follows and adopted:—

Your Committee recommend that the \$25 supplies allowance per Member be continued.

Your Committee recommend that Sessional Papers be printed in the following quantities:—

Public Accounts.....	2,800
Main Estimates.....	1,600
Supplementary Estimates.....	1,600
Lands and Forests.....	1,525

Mines.....	3,400
Legal Offices.....	1,000
Insurance and Friendly Societies.....	1,700
Loan Corporations.....	1,100
Public Works.....	625
Game and Fisheries.....	2,100
Labour.....	1,600
Education.....	1,700
University of Toronto.....	600
Births, Marriages and Deaths.....	2,100
Board of Health.....	1,600
Ontario Hospital for the Mentally Subnormal and Epileptics. . .	900
Public Records and Archives.....	3,100
Hospitals and Sanitoria.....	1,350
Prisons and Reformatories.....	3,200
Public Welfare.....	2,600
Liquor Control Board.....	2,600
Department of Agriculture (Minister).....	2,100
Department of Agriculture (Statistics).....	6,600
Temiskaming and Northern Ontario Railway.....	800
Ontario Railway and Municipal Board.....	950
Hydro-Electric Power Commission.....	4,100
Provincial Auditor.....	650
Workmen's Compensation Board.....	1,500
Ontario Veterinary College.....	2,100

Your Committee reports stationery on hand as of October

31st, 1933.....	\$21,737 70
Contract paper.....	3,526 87

A total of.....	\$25,264 57
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Stationery on hand as of October 31st, 1932.....	\$24,829 43
Contract paper.....	4,864 84

A total of.....	\$29,685 27
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The following Bills were severally introduced and read the first time:—

Bill (No. 59), intituled "An Act to amend The Municipal Act." *Mr. Martin* (Hamilton, West).

*Ordered*, That the Bill be read a second time To-morrow.

Bill (No. 60), intituled "An Act to amend The Children's Protection Act." *Mr. Martin* (Brantford).

*Ordered*, That the Bill be read a second time To-morrow.

Mr. Robertson asked the following Question (No. 21):—

1. What remuneration, during the years 1930, 1931, 1932 and 1933, gratuity or expenses were allowed to the members of the Soldiers' Aid Commission of which the Honourable W. G. Martin is Chairman. 2. Who were the members of the Commission and how much did each receive in each of the above-mentioned years of such remuneration, gratuity or expenses. 3. How many meetings of such Commission were held during each of the above-mentioned years.

The Honourable the Minister of Public Welfare replied as follows:—

1. No member of the Soldiers' Aid Commission received remuneration or gratuity of any kind in any form during the years 1930, 1931, 1932 and 1933. Total expenses for these four years were \$929.25. 2. The members of the Commission in the year 1930 were: Col. the Hon. W. H. Price, Major-General V. A. S. Williams, Col. Bertram O. Hooper, Col. T. L. Kennedy, Mrs. Arthur VanKoughnet, Capt. J. J. Ferry, Percy T. Bould, Col. Ibbotson Leonard. The only travelling expenses paid were as follows: Capt. J. J. Ferry, \$80.00; Percy T. Bould, \$49.50; Col. Ibbotson Leonard, \$20.00. The members of the Commission in 1931, 1932 and 1933 were: Capt. the Hon. W. G. Martin, Major-General V. A. S. Williams, Mrs. Arthur VanKoughnet, Capt. A. C. McFarlane, Capt. C. S. Stonehouse, Capt. Harold Tolley, Major W. G. Blair. The only travelling expenses paid were as follows:—

	1931	1932	1933
Capt. A. C. McFarlane.....	\$8 90	\$8 00	.....
Capt. C. S. Stonehouse.....	67 50	67 05	65 35
Capt. Harold Tolley.....	149 80	143 75	129 40
Major W. G. Blair.....	20 00	50 00	70 00

3. Three.

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The following Bills were severally read the second time:—

Bill (No. 52), An Act to amend The Registry Act.

Referred to a Committee on Legal Bills.

Bill (No. 58), An Act to amend The Provincial Loans Act.

Referred to a Committee of the Whole House To-morrow.

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The Order of the Day for the second reading of Bill (No. 53), An Act to amend The Judicature Act, having been read,

Mr. Sinclair moved,

That the Bill be now read the second time.

And a debate having arisen, after some time it was on the motion of Mr. Price (Parkdale),

*Ordered*, That the Debate be adjourned.

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The House then adjourned at 4.55 p.m.

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THURSDAY, FEBRUARY 15TH, 1934

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PRAYERS.

3 O'CLOCK P.M.

The following Petition was brought up and laid upon the Table:—

By Mr. McNaughton, the Petition of the Municipal Corporation of the Town of Cornwall and the Municipal Corporation of the Township of Cornwall.

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The following Petitions were read and received:—

Of William Edwards MacDonald, praying that an Act may pass authorizing the Law Society of Upper Canada to admit the Petitioner to practice as a Barrister in the Courts of Ontario.

Of the Municipal Corporation of the Township of Stephenson, praying that the application for the incorporation of the proposed Village of Port Sydney be not considered unless and until the proposed Act has been amended as suggested therein.

Of the Municipal Corporation of the Town of Cornwall, praying that an Act may pass validating an agreement between the Petitioners and Courtaulds (Canada) Limited, providing for a fixed assessment of \$800,000.00 on the lands of the Company.

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Mr. Price from the Standing Committee on Private Bills presented their First Report, which was read as follows and adopted:—

Your Committee beg to report the following Bills without amendment:—

Bill (No. 1), An Act respecting the Mount McKay and Kakabeka Falls Railway Company.



Bill (No. 7). An Act respecting the Town of Prescott.

Bill (No. 12). An Act respecting Hamilton By-Product Coke Ovens, Limited.

Your Committee beg to report the following Bill with certain amendments:—

Bill (No. 6). An Act respecting the Township of Etobicoke.

With respect to above-mentioned Bills (Nos. 6 and 7), your Committee is of opinion that it is unnecessary that the Schedules thereto be printed in the Statutes and therefore recommend that the same be struck out.

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The following Bills were severally introduced and read the first time:—

Bill (No. 61), intituled "An Act to amend The Registry Act." *Mr. Price* (Parkdale).

*Ordered*, That the Bill be read a second time To-morrow.

Bill (No. 62), intituled "An Act to amend The Partnership Registration Act." *Mr. Price* (Parkdale).

*Ordered*, That the Bill be read a second time To-morrow.

Bill (No. 63), intituled "An Act to amend The Factory, Shop and Office Building Act." *Mr. Robb*.

*Ordered*, That the Bill be read a second time To-morrow.

Bill (No. 64), intituled "An Act to amend The Marriage Act." *Mr. Martin* (Hamilton, West).

*Ordered*, That the Bill be read a second time To-morrow.

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The Order of the Day for resuming the Adjourned Debate on the Amendment to the Motion for the consideration of the Speech of The Honourable the Lieutenant-Governor, at the opening of the Session, having been read,

And the Debate having been continued, after some time, it was on the motion of Mr. Martin (Brantford),

*Ordered*, That the Debate be further adjourned until Tuesday next.

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On motion of Mr. Kennedy (Peel), seconded by Mr. Challies,

*Ordered*, That the name of Mr. Craig be added to the Committee on Fish and Game, the name of Mr. Lancaster be added to the Committee on Private Bills, and the name of Mr. Robertson be added to the Committee on Agriculture and Colonization.

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The Provincial Secretary presented to the House by command of The Honourable the Lieutenant-Governor:—

Annual Report of the Liquor Control Board of Ontario as at October 31st, 1933. (*Sessional Papers No. 20.*)

Also, Return to an Order of the House dated March 31st, 1933, That there be laid before the House a Return showing: 1. What is the total amount in arrears to the Agricultural Development Board. 2. How many individual farmers owe this amount. 3. How many have been in arrears for two years. What amount. 4. How many have been in arrears for more than two years. What amount. (*Sessional Papers No. 39.*)

Also, Return to an Order of the House dated April 3rd, 1933, That there be laid before this House a Return showing: 1. What is the total sum of money paid to the firm of Clarkson, Gordon, Dilworth, Guilfoyle & Nash, Accountants, or to any member or employee of the firm during each of the last three fiscal years by (a) the Government; (b) Hydro-Electric Power Commission of Ontario; (c) any other outside public service department of the Government. (*Sessional Papers No. 40.*)

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The House then adjourned at 6.08 p.m.

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FRIDAY, FEBRUARY 16TH, 1934

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PRAYERS.

3 O'CLOCK P.M.

The following Petition was read and received:—

Of the Municipal Corporation of the Town of Cornwall and the Municipal Corporation of the Township of Cornwall, praying that an Act may pass validating an agreement made by the Petitioners with Canadian Industries, Limited, regarding the erection of an industrial plant by the latter party.

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The following Bills were severally introduced and read the first time:—

Bill (No. 65), intituled "An Act to amend The Temiskaming and Northern Ontario Railway Act." *Mr. Henry.*

*Ordered,* That the Bill be read the second time on Monday next.

Bill (No. 66), intituled "An Act to amend The Succession Duty Act." *Mr. Henry.*

*Ordered,* That the Bill be read the second time on Monday next.

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Mr. Hipel asked the following Question (No. 20):—

1. Who are the members of the Ontario Apprenticeship Board and what salary does each receive. 2. When was each member appointed. 3. How many of such members are ex-service men.

The Honourable the Prime Minister replied as follows:—

1. J. B. Carswell, Hamilton (Chairman); Ernest Ingles, London; F. S. Rutherford, Toronto. No salary is paid, but a per diem allowance of Ten Dollars (\$10.00) is given to members and Fifteen Dollars (\$15.00) to the Chairman. 2. All three men were originally appointed as members of the Provincial Apprenticeship Committee on June 16th, 1928. They were appointed as a Board on April 15th, 1932, and reappointed for one year on April 15th, 1933. 3. One.

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Mr. Robertson asked the following Question (No. 27):—

1. What amount of money has been (a) appropriated for and (b) expended by the Ontario Marketing Board. 2. Who are the present members of the Ontario Marketing Board. 3. What amount of money has been paid to W. B. Somerset by the Government directly or indirectly for expenses and remuneration, separately, during 1931-1932-1933. 4. What are the definite accomplishments to date of the Ontario Marketing Board. 5. Did the Government make any financial contribution during the years 1932 and 1933 to the Ontario Growers' Markets Council. If so, how much.

The Honourable the Minister of Agriculture replied as follows:—

1. Appropriation for 1931, \$12,000.

Expenditure.....	\$11,050 00
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Appropriation for 1932, \$30,000.

Expenditure:

Ontario Growers' Markets Council.....	\$15,999 96
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Ontario Marketing Board.....	12,883 49
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\$28,883 45

Appropriation for 1933, \$25,000.

Expenditure:

Ontario Growers' Markets Council.....	\$9,223 84
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Ontario Marketing Board.....	14,984 01
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\$24,207 85

2. W. B. Somerset, Chairman; H. B. Clemes, Member (General Manager, United Farmers' Co-operative Co., Ltd., Toronto); J. B. Fairbairn, Member (Deputy Minister, Ontario Department of Agriculture).

3. Amounts paid Mr. W. B. Somerset:

	Honorarium	Travelling Expenses
1931: Marketing Board.....		\$1,602 82
Special Warrant, milk production and marketing.....	\$3,000 00	
Special Warrant, marketing of fruits and vegetables.....	3,600 00	
	<hr/>	<hr/>
	\$6,600 00	\$1,602 82
1932: Chairman—Marketing Board.....	\$3,000 00	\$1,687 01
Special Warrant, milk production and marketing.....	6,800 00	.....
	<hr/>	<hr/>
	\$9,800 00	\$1,687 01
1933: Chairman—Marketing Board.....	\$5,400 00	\$991 11

4. (1) The erection of Grading Stations and Cold Storage Warehouses for fruits and vegetables. Since 1931, 11 Cold Storage Plants and 10 Dry Storage Plants have been completed. (2) Extension of markets by Sales Agents in (a) British Isles, (b) The Continent, (c) Western Canada, (d) Quebec, (e) The Maritimes, (f) Ontario markets by 1. Radio talks, 2. Newspaper advertising, 3. Window Dressing Competitions, 4. Farmers' Markets Competitions, 5. Cooking Schools, 6. Street Parades, 7. Distribution of recipes in retail stores, 8. Window cards and broadsides, 9. Exhibits at Exhibitions. (3) Advice and assistance rendered in the organizing and incorporating of co-operative companies. Nineteen co-operative companies were incorporated in 1932 for the purpose of handling such commodities as honey, turnips, apples, plums, celery, cheese, tobacco, soya beans, potatoes, seeds and grain. (4) Trial shipments of barley, cheese, honey, cattle to the British Isles; clover and seed grain to Denmark and England. 5. Yes. Answered by Question 1.

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On motion of Mr. Baxter, seconded by Mr. McKay,

*Ordered*, That there be laid before this House a Return showing copies of all correspondence and communications received or forwarded by any person or organization to Ministers of the Ontario Government during the years 1931, 1932 and 1933 relating: (a) To the appointment during the above-mentioned period of the Sheriff of the County of Simcoe. (b) To the appointment of Jail Warden of the County of Simcoe.

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On motion of Mr. Sinclair, seconded by Mr. Newman,



*Ordered*, That there be laid before this House a Return showing appointments since 1897 of Provincial Officers under the name of "His Majesty's Counsel learned in the law" under the provisions of R.S.O. 1927, Chapter 193, Section 5, and preceding Barristers Acts, giving the dates upon which such appointments were made and the number appointed at each of said dates.

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The following Bills were severally read the second time:—

Bill (No. 1), An Act respecting the Mount McKay and Kakabeka Falls Railway Company.

Referred to a Committee of the Whole House on Monday next.

Bill (No. 7), An Act respecting the Town of Prescott.

Referred to a Committee of the Whole House on Monday next.

Bill (No. 12), An Act respecting Hamilton By-Product Coke Ovens, Limited.

Referred to a Committee of the Whole House on Monday next.

Bill (No. 6), An Act respecting the Township of Etobicoke.

Referred to a Committee of the Whole House on Monday next.

Bill (No. 60), An Act to amend The Children's Protection Act.

Referred to a Committee of the Whole House on Monday next.

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The House resolved itself into a Committee to consider Bill (No. 56), An Act to amend The Juvenile Courts Act, and, after some time spent therein, Mr. Speaker resumed the Chair; and Mr. Mahony reported, That the Committee had directed him to report the Bill without any amendment.

*Ordered*, That the Bill be read the third time on Monday next.

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The House resolved itself into a Committee to consider Bill (No. 58), An Act to amend The Provincial Loans Act, and, after some time spent therein, Mr. Speaker resumed the Chair; and Mr. Mahony reported, That the Committee had directed him to report the Bill without any amendment.

*Ordered*, That the Bill be read the third time on Monday next.

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The House then adjourned at 3.50 p.m.



MONDAY, FEBRUARY 19TH, 1934

PRAYERS.

3 O'CLOCK P.M.

On motion by Mr. Henry, seconded by Mr. McQuibban,

*Resolved*, That this House learns with deep regret of the untimely death of His Majesty Albert I, King of the Belgians, and desires to place itself on record as extending its sincerest sympathy to the Royal Family of Belgium in the loss of its beloved head, and to the people of Belgium as a whole in the passing of a gracious and heroic monarch after a reign of twenty-five years.

The following Bills were severally introduced and read the first time:—

Bill (No. 67), intituled "An Act to amend The Public Health Act." *Mr. Robb.*

*Ordered*, That the Bill be read a second time To-morrow.

Bill (No. 68), intituled "An Act to amend The Venereal Diseases Prevention Act." *Mr. Robb.*

*Ordered*, That the Bill be read a second time To-morrow.

Mr. Medd asked the following Question (No. 16):—

1. How many telephone calls and cable messages have there been from the Government to the High Commissioner in London, England, in each of the last three fiscal years. 2. What has been the cost to the Province in payment of charges for calls and messages to or from the High Commissioner in each of the last three fiscal years.

The Honourable the Prime Minister replied as follows:—

1. 1931, 1 telephone call. 7 cables; 1932, 5 cables; 1933, 5 cables. 2. 1931, \$61.42; 1932, \$19.24; 1933, \$12.02.

Mr. Murray asked the following Question (No. 30):—

1. What was the cost of the ferry "Jacqueline" in use from LaCloche Island to Little Current. 2. What was the total cost of the alterations to the LaCloche Island terminal during 1933. 3. What was the total cost of the alterations to the Little Current dock during 1933. 4. Does the Department own the land on which these terminals are located. If so, from whom was the land purchased

and what did it cost. 5. Have the expropriation proceedings for the right-of-way for the Little Current-Espanola Highway been completed. If so, what compensation was made to the owners of the lands so expropriated. If not, has the Department any title to the lands through which the highway is built. 6. Who is the Northern Development Resident Engineer at Blind River. What is his annual salary. Who is his assistant. What is his salary. 7. Does the Department own or rent the building used as an office and storage at Blind River. If so, from whom was it purchased. What was its total cost. If not, what rent is paid for it annually. What are the annual taxes on this building. 8. What was the total cost of operation of the Northern Development office at Blind River during 1933. For how many months in 1933 was it open.

The Honourable the Minister of Lands and Forests replied as follows:—

1. \$12,400.00. 2. \$2,387.16. 3. \$1,892.68. 4. Department owns land on which Little Current dock terminal is located. Purchased from Norman Trotter for \$1,264.00. 5. Part of the Little Current-Expanola Highway is through Indian lands and consent of the Department of Indian Affairs has been obtained and \$330.00 was paid as compensation to the Indians for improvements. Part of the right-of-way is through townships where there is a 5 per cent. reservation for roads. Part of the road is through private properties and no compensation has been paid but the Department have title by expropriation proceedings and no claim has been made for compensation by private owners. In one case a claim was made for fifty cents an acre, which has not yet been completed. 6. D. A. McIvor. Annual salary, \$2,400. Assistant J. R. Carter at \$125.00 per month. 7. Department rents office space at \$20.00 per month. No taxes. 8. The office at Blind River was not operated during the fiscal year 1933.

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The following Bills were severally read the second time:—

Bill (No. 54), An Act to amend The Assessment Act.

Referred to the Committee on Municipal Law.

Bill (No. 61), An Act to amend The Registry Act.

Referred to a Committee of the Whole House To-morrow.

Bill (No. 63), An Act to amend The Factory, Shop and Office Building Act.

Referred to a Committee of the Whole House To-morrow.

Bill (No. 65), An Act to amend The Temiskaming and Northern Ontario Railway Act.

Referred to a Committee of the Whole House To-morrow.

---

The House resolved itself into a Committee to consider Bill (No. 57), An

Act respecting the Ontario Institute of Radio Therapy, and, after some time spent therein, Mr. Speaker resumed the Chair; and Mr. Black reported, That the Committee had directed him to report the Bill without any amendment.

*Ordered*, That the Bill be read the third time To-morrow.

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The House resolved itself into a Committee to consider Bill (No. 60), An Act to amend The Children's Protection Act, and, after some time spent therein, Mr. Speaker resumed the Chair; and Mr. Black reported, That the Committee had directed him to report the Bill without any amendment.

*Ordered*, That the Bill be read the third time To-morrow.

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The House resolved itself into a Committee, severally to consider the following Bills:—

Bill (No. 1), An Act respecting the Mount McKay and Kakabeka Falls Railway Company.

Bill (No. 7), An Act respecting the Town of Prescott.

Bill (No. 12), An Act respecting Hamilton By-Product Coke Ovens, Limited.

Bill (No. 6), An Act respecting the Township of Etobicoke.

Mr. Speaker resumed the Chair; and Mr. Black reported, That the Committee had directed him to report the several Bills without amendments.

*Ordered*, That the Bills reported be severally read the third time To-morrow

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The House then adjourned at 4.40 p.m.

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TUESDAY, FEBRUARY 20TH, 1934

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PRAYERS.

3 O'CLOCK P.M.

The following Petitions were severally brought up and laid upon the Table:—

By Mr. Oakley, two Petitions of the Municipal Corporation of the City of Toronto.

Mr. McCrea from the Standing Committee on Private Bills presented their Second Report, which was read as follows and adopted:—

Your Committee beg to report the following Bills without amendment:—

Bill (No. 3), An Act respecting the City of Oshawa.

Bill (No. 4), An Act respecting The Industrial Mortgage and Trust Company and the East Lambton Farmers' Loan and Savings Company.

Bill (No. 9), An Act respecting the Town of Weston.

Bill (No. 10), An Act respecting the City of Welland.

Bill (No. 20), An Act respecting the Village of Woodbridge.

Bill (No. 24), An Act respecting the Bankers' Trust Company.

Bill (No. 28), An Act respecting the City of St. Catharines.

With respect to above-mentioned Bills (Nos. 9, 10, and 28) your Committee is of opinion that it is unnecessary that the Schedules thereto be printed in the Statutes and therefore recommend that the same be struck out.

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The Order of the Day for resuming the Adjourned Debate on the Amendment to the Motion for the consideration of the Speech of The Honourable the Lieutenant-Governor, at the opening of the Session, having been read,

And the Debate having been continued, after some time, it was on the motion of Mr. Morrison,

*Ordered*, That the Debate be further adjourned until Thursday next.

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The House then adjourned at 11.12 p.m.

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WEDNESDAY, FEBRUARY 21ST, 1934

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PRAYERS.

3 O'CLOCK P.M.

The following Petitions were read and received:—

Of the Municipal Corporation of the City of Toronto, praying that the Government of Ontario will enact a Minimum Wage Law applicable to male employees.



Of the Municipal Corporation of the City of Toronto, praying that the Government of Ontario join in a movement toward the establishment of a Civil Re-establishment Commission for the purpose of preparing unemployed citizens for a return to employment.

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The following Bills were severally introduced and read the first time:—

Bill (No. 69), intituled "An Act to amend The Community Halls Act." *Mr Kennedy* (Peel).

*Ordered*, That the Bill be read a second time To-morrow.

Bill (No. 70), intituled "An Act to amend The Dog Tax and Sheep Protection Act." *Mr. Kennedy* (Peel).

*Ordered*, That the Bill be read a second time To-morrow.

Bill (No. 71), intituled "An Act to amend The Municipal Act." *Mr. Case*.

*Ordered*, That the Bill be read a second time To-morrow.

Bill (No. 72), intituled "An Act to amend The Assessment Act." *Mr. Sinclair*.

*Ordered*, That the Bill be read a second time To-morrow.

Bill (No. 73), intituled "An Act to amend The Assessment Act." *Mr. Jamieson*.

*Ordered*, That the Bill be read a second time To-morrow.

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Mr. Hipel asked the following Question (No. 25):—

1. Was anyone engaged by the Government in an advisory capacity *re* the recent loan of \$40,000,000. 2. If so, who were they. 3. With what firms are each of these men employed or connected with in any way. 4. What amount in dollars and cents were they paid for their services. 5. What were they allowed for expenses. 6. What amounts of the \$40,000,000 loan were purchased by the firms or corporations with whom these men are employed.

The Honourable the Prime Minister replied as follows:—

1. Yes. 2. and 3. A. J. L. Haskell, Manager, Investment Department, Bank of Montreal; H. J. Coon, Manager, Investment Department, Bank of Nova Scotia, and F. W. Kerr of F. W. Kerr & Company, Investment Bankers. 4. Management Committee fee of \$40,000.00, being 1/10th of 1 per cent. of par value of issue. 5. No allowance for expenses or clerical staff. \$2,834.77 paid



for printing and office disbursements. 6. The Government has no particulars on which to base a reply to this question, the information for obvious reasons not being a matter of public information.

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Mr. Blakelock asked the following Question (No. 32):—

1. What sums of money were paid to Clark Locke, Ltd., by the Government during 1933. 2. What sum, if any, is still owing on account with Clark Locke, Ltd., for the year 1933.

The Honourable the Prime Minister replied as follows:—

1. Since 1929 advertising of the Provincial Savings Banks has been placed with various publications through the firm of Clark E. Locke Limited as follows: 1933, \$20,103.13; 1932, \$19,386.75; 1931, \$24,821.30; 1930, \$30,842.96. This money represents actual standard advertising charges of the publications represented by the agency which is paid for its services by the publishers, not by the Province. 2. Nothing is owing on account of the year 1933.

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Mr. Ross asked the following Question (No. 39):—

1. How many loans to farmers were made by the Agricultural Development Board during the last fiscal year. 2. What was the total amount loaned. 3. How many loans were made in the County of Oxford. 4. How many farms came back on the hands of the Board during the last fiscal year.

The Honourable the Minister of Agriculture replied as follows:—

1. 3,415. 2. \$6,700,000.00. 3. 75. 4. 180.

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Mr. Ross asked the following Question (No. 40):—

1. Did the Ontario Marketing Board have anything to do with the marketing of the car of cheese loaded at the Oxford Fruit Co-Operative at Woodstock in October, 1932. If so, what was the total number of pounds of cheese shipped. 3. What the selling price per pound net to the Marketing Board. 4. What was the price paid to the different factories at the time of shipment.

The Honourable the Minister of Agriculture replied as follows:—

1. Yes. The Board helped to make arrangements for selling the cheese through a British brokerage house. 2. 46,097 lbs. net weight. 3. There was no net selling price to the Marketing Board. 4. No price was paid to the different factories at time of shipment.

Mr. Newman asked the following Question (No. 50):—

1. How many pupils are in attendance at the Northern Academy at Monteith.  
2. How many teachers are employed. 3. What are their respective salaries.  
4. How many others are employed on the premises. 5. What are their respective salaries. 6. Does the Province get any revenue from this Academy. 7. If not, what is the deficit.

The Honourable the Prime Minister replied as follows:—

1. Fifty-five. 2. Five. 3. \$4,200, \$2,700, \$2,000, \$2,000, \$2,000. 4. Seventeen: 4 Farmhands, Dietitian, Nurse, Engineer, Caretaker, Cook, 4 Maids, 3 Firemen, Janitor. 5. \$1,080, \$1,080, \$1,080, \$720, \$1,600, \$1,125, \$1,600, \$1,400, \$720, \$420, \$300, \$300, \$420, \$1,200, \$1,080, \$1,050, \$600. 6. \$16,897.56. 7. \$29,634.34.

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The following Bills were severally read the second time:—

Bill (No. 64), An Act to amend The Marriage Act.

Referred to the Committee on Legal Bills.

Bill (No. 59), An Act to amend The Municipal Act.

Referred to the Committee on Municipal Law.

Bill (No. 3), An Act respecting the City of Oshawa.

Referred to a Committee of the Whole House To-morrow.

Bill (No. 4), An Act respecting the Industrial Mortgage and Trust Company and the East Lambton Farmers' Loan and Savings Company.

Referred to a Committee of the Whole House To-morrow.

Bill (No. 9), An Act respecting the Town of Weston.

Referred to a Committee of the Whole House To-morrow.

Bill (No. 10), An Act respecting the Town of Welland.

Referred to a Committee of the Whole House To-morrow.

Bill (No. 20), An Act respecting the Village of Woodbridge.

Referred to a Committee of the Whole House To-morrow.

Bill (No. 24), An Act respecting the Bankers' Trust Company.

Referred to a Committee of the Whole House To-morrow.

Bill (No. 28), An Act respecting the City of St. Catharines.

Referred to a Committee of the Whole House To-morrow.

Bill (No. 66), An Act to amend The Succession Duty Act.  
Referred to a Committee of the Whole House To-morrow.

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The Provincial Secretary presented to the House by command of The Honourable the Lieutenant-Governor:—

Annual Report of the Department of Labour. (*Sessional Papers No. 10.*)

Also, Orders-in-Council made under the authority of The Northern Development Act, 1929. (*Sessional Papers No. 41.*)

Also, Return to an Order that there be laid before the House a Return showing appointments since 1897 of Provincial Officers under the name of "His Majesty's Counsel learned in the law" under the provisions of R.S.O. 1927, Chapter 193, Section 5, and preceding Barristers Acts, giving the dates upon which such appointments were made and the number appointed at each of said dates. (*Sessional Papers No. 42.*)

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The House then adjourned at 3.50 p.m.

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#### THURSDAY, FEBRUARY 22ND, 1934

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PRAYERS.

3 O'CLOCK P.M.

Mr. Price from the Standing Committee on Private Bills presented their Third Report, which was read as follows and adopted:—

Your Committee beg to report the following Bills without amendment:—

Bill (No. 11), An Act respecting the City of Toronto.

Bill (No. 29), An Act respecting the City of London.

Bill (No. 30), An Act respecting the City of Kingston.

Your Committee beg to report the following Bills with certain amendments:—

Bill (No. 5), An Act respecting the City of Brantford.

Bill (No. 14), An Act respecting the City of Hamilton.

Bill (No. 22), An Act respecting the Town of Collingwood.

Bill (No. 33), An Act respecting the Brantford Young Men's Christian Association.

With respect to above-mentioned Bills (Nos. 5, 22 and 30) your Committee is of opinion that it is unnecessary that the Schedules thereto be printed in the Statutes and therefore recommend that the same be struck out.

Your Committee would recommend that the fees less the penalties and the actual cost of printing be remitted on Bill (No. 33), "An Act respecting the Brantford Young Men's Christian Association," on the ground that it relates to a religious institution.

*Ordered*, That the fees less the penalties and the actual cost of printing be remitted on Bill (No. 33), "An Act respecting the Brantford Young Men's Christian Association," on the ground that it relates to a religious institution.

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The following Bills were severally introduced and read the first time:—

Bill (No. 74), intituled "An Act to amend The Game and Fisheries Act." *Mr. Taylor*.

*Ordered*, That the Bill be read a second time To-morrow.

Bill (No. 75), intituled "An Act to amend The Municipal Act." *Mr. Willson* (Niagara Falls).

*Ordered*, That the Bill be read a second time To-morrow.

Bill (No. 76), intituled "An Act to amend The Assessment Act." *Mr. Blakelock*.

*Ordered*, That the Bill be read a second time To-morrow.

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The Order of the Day for resuming the Adjourned Debate on the Amendment to the Motion for the consideration of the Speech of The Honourable the Lieutenant-Governor, at the opening of the Session, having been read,

And the Debate having been continued, after some time, it was on the motion of Mr. Case,

*Ordered*, That the Debate be further adjourned until Tuesday next.

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The House then adjourned at 5.40 p.m.

FRIDAY, FEBRUARY 23RD, 1934

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PRAYERS.

3 O'CLOCK P.M.

The following Bills were severally introduced and read the first time:—

Bill (No. 77), intituled "An Act to amend The Game and Fisheries Act."  
*Mr. Slack.*

*Ordered,* That the Bill be read a second time on Monday next.

Bill (No. 78), intituled "An Act to amend The Highway Traffic Act."  
*Mr. Robertson.*

*Ordered,* That the Bill be read a second time on Monday next.

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Mr. Nixon asked the following Question (No. 14):—

1. What sum of money was paid to Mr. W. N. Tilley, K.C., or any member of the firm of Tilley, Johnson, Thomson and Parmenter, Barristers, or the firm itself during the last fiscal year by: (a) Departments of the Government. (b) Hydro-Electric Power Commission. (c) T. & N.O. Railway. 2. What sum of money was paid Mr. Tilley in connection with his work with the Hydro Enquiry Commission. 3. What sum has been paid Mr. Tilley, or the firm, in connection with the acquiring of assets of Ontario Power Service Corporation by: (a) The Government. (b) The Hydro-Electric Power Commission of Ontario.

The Honourable the Prime Minister replied as follows:—

1. (a) St. Lawrence agreement between the Dominion and the Province, \$5,114.77. (b) *Re* Ontario Power Service Corporation Limited, \$10,000.00. *Re* Coniagas Reduction Company vs. Hydro, \$2,500.00. *Re* Drummond vs. Hydro, \$100.00. (c) Temiskaming and Northern Ontario Railway Commission, \$4,800.00. 2. Nothing. 3. (a) Nothing. (b) Answered by the reply to Question 1 (b).

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Mr. Taylor asked the following Question (No. 17):—

1. What was the total amount of money received from the sale of power generated at the Abitibi Canyon development during the last fiscal year. 2. What was the total cost during the last fiscal year of the obligations assumed when the plant and bonds of the O.P.S. were taken over. 3. What was the cost during the last fiscal year of operation and administration in connection with the project. 4. What sum of money did the Province pay under the guarantee.



The Honourable Mr. Cooke replied as follows:—

1. The construction work at the Abitibi Canyon development on the first unit was completed by the 25th of May, 1933, at which time it went into operation. Between the 25th of May and 31st of October, 1933, revenue was obtained from the power generated at the Abitibi Canyon development to the amount of \$125,097.06. 2. The total amount of  $5\frac{1}{2}$  per cent. bonds of Ontario Power Service Corporation, Limited, acquired by the Hydro-Electric Power Commission prior to the acquisition of the plant was \$19,583,500 in exchange for which the Commission issued its twenty-year debentures, guaranteed by the Province for \$17,625,125, bearing interest at  $3\frac{1}{2}$  per cent. for the first five years, 4 per cent. for the second five years and 5 per cent. for the last ten years. At the judicial sale of the property and assets of Ontario Power Service Corporation, Limited, the Commission became the purchaser thereof at the price of \$14,000,000 and in accordance with the advertisement and conditions of sale settled by the Court, payment of the purchase price was made by the Commission surrendering the bonds of Ontario Power Service Corporation held by it, and paying into Court \$291,550.00 to satisfy the claims of the bondholders who had not exchanged their bonds for the debentures of the Commission. Among the assets acquired by the Commission was a plant upon which \$15,146,607.31 in cash had been expended, and the sum of \$2,697,392.69 unexpended cash in the hands of Montreal Trust Company, Trustee under the mortgage, to secure the bonds of Ontario Power Service Corporation, Limited, and out of these moneys the Commission paid the sum of \$1,537,781.79 for expenditures towards completion of the property, dues and water rentals to the Department of Lands and Forests and other expenses in connection with the whole transaction. A number of claims of contractors and other creditors of Ontario Power Service Corporation, Limited, are in process of settlement. 3. The cost of operation and administration of the Abitibi Canyon properties from the date of commencement of partial operation, 25th of May, 1933, to 31st of October, 1933, was \$60,554.97. 4. Nothing.

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Mr. Hutchinson asked the following Question (No. 23):—

1. What is the total cost of supplying flying for the Ontario Forestry Branch. 2. What is the total number of flying hours per year for 1932 and 1933 for the Ontario Government flying machines. 3. What is the cost per hour to the Government for purchasing commercial flying. 4. How many flying hours were purchased by the Government during 1933 and from whom and what price per hour was paid.

The Honourable the Minister of Lands and Forests replied as follows:—

1. \$424,006.73 in 1933, including flying supplied by commercial companies. 2. 1932, 9,737.13 hours; 1933, 8,722.40 hours. 3. Flying was not purchased on an hourly basis in 1933. 4. Flying was not purchased on an hourly basis in 1933.

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Mr. Robertson asked the following Question (No. 31):—

1. How many tenders were received by the Department of Lands and Forests in connection with the sale of Timber Area M17, Kenora District, July 14th, 1927; File No. 59722. 2. What were the bids made by each tenderer for red pine sawlogs, Jack pine sawlogs, Jack pine ties, spruce pulpwood. 3. What of the above tenders was accepted by the Department. 4. What quantities of red pine sawlogs, Jack pine sawlogs, Jack pine ties, spruce pulpwood have, in each case, been cut by the purchaser of the timber on the above area. 5. Is the license to cut timber on the above area still held by the person or persons to whom it was issued on July 14th, 1927. If not, for what reason has it been cancelled, transferred or surrendered. 6. Has the holder of the above license cut upon the area granted each and every season since the license was issued. If not, what years has he failed to cut upon the area. 7. What other timber, tie or pulpwood areas are held by the person or persons holding the license to cut upon the above area.

The Honourable the Minister of Lands and Forests replied as follows:—

1. Four. 2. E. Wallace, Sioux Lookout, Ontario: Red pine, \$23.00 per M. ft. B.M. Jackpine, \$22.50 per M. ft. B.M. Jack pine ties, .27 per tie. Spruce pulpwood, \$2.20 per cord. Sioux Lookout Lumber Company, Limited, Sioux Lookout, Ontario: Red pine, \$10.75 per M. ft. B.M. Jack pine, \$17.55 per M. ft. B.M. Jack pine ties, .30½ per tie. Spruce pulpwood, \$2.35 per cord. G. E. Farlinger, Sioux Lookout, Ontario: Red pine, \$10.75 per M. ft. B.M. Jack pine, \$11.05 per M. ft. B.M. Jack pine ties, .25½ per tie. Spruce pulpwood, \$2.15 per cord. Thomas Falls, Port Arthur, Ontario: Red pine, \$11.50 per M. ft. B.M. Jack pine, \$10.50 per M. ft. B.M. Jack pine ties, .20 per tie. Spruce pulpwood, \$1.90 per cord. E. Wallace: Due to the difficulty of definitely determining the highest tender as between E. Wallace and Sioux Lookout Lumber Company, Limited, owing to the board measure bid of the former being higher than that of the latter, and the tie bid of the latter being higher than that of the former, it was deemed advisable to require each to limit the bidding of Jack pine to a board measure basis with a provision that for any ties hewn in bush the price would be fixed by the Minister. Each party retendered on a board-measure basis as formerly, and that of E. Wallace, Sioux Lookout, being the highest, was accepted. A price of 30c. a tie was placed on hewn ties and duly paid. 4. Season 1927-28: Cut, Jack pine, 7,503 ft. B.M.; Ties, 79,229. No further cutting. 5. Yes. Operating time extended due to unfavourable market conditions. 6. See answer No. 4. 7. Area west of the Township of Smellie and north of Boulder Lake, District of Kenora.

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Mr. Hipel asked the following Question (No. 33):—

1. What amount of capital account or bonds exclusive of Hydro, T. & N.O. Railway, Agricultural Development Board have been actually paid, and not refunded in the last five fiscal years. 2. What amount has been borrowed and charged to capital account exclusive of Hydro, T. & N.O. Railway and Agricultural Development Board in the last five fiscal years. 3. What amount has actually been set aside to provide for debt retirement in respect to the above capital charges during the past five fiscal years.

The Honourable the Prime Minister replied as follows:—

1. As the proceeds of the sale of the Province of Ontario bonds are paid into Consolidated Revenue Fund, and are not ear-marked for any specific purpose, the information asked for in this Question is not obtainable. 2. Highways, \$48,869,033. Northern Development, \$27,449,687. Unemployment Relief, \$14,045,036. Other Capital Works, \$28,302,554. 3. Debt Retirement Plan covers Provincial Debt as a whole, and is not earmarked for any specific classes of Capital Expenditure.

Mr. Mackay asked the following Question (No. 35):—

1. How many square miles of timber, tie, or pulpwood lands have been licensed, leased or sold to the Shevlin-Clarke Co., Ltd., since November 1st, 1926, for which no other tender than that of the above company was received. 2. How many tenders were received by the Department of Lands and Forests in connection with the sale of the following timber areas: (a) Berth 42, Quetico Park, District of Rainy River; File No. 80748, July 20th, 1928. (b) Berth 43, Quetico Park, District of Rainy River; File No. 80748, July 20th, 1928. (c) Berth J. A. 21, District of Rainy River; File No. 64440, December 1st, 1928. 3. What were the names of the persons or companies from whom the above tenders were received and what were the prices bid by each tenderer in each of the above cases. 4. What is the total area held under license, lease or permit for each of the years 1927 to 1933, inclusive, by Shevlin-Clarke Co., Ltd. 5. What sum of money has accrued to the Province on account of the above licenses, leases or permits for each of the years 1927 to 1933, inclusive.

The Honourable the Minister of Lands and Forests replied as follows:—

1. Eighty-three square miles. 2. (a) Two. (b) Two. (c) Two. 3. Berth 42—Shevlin-Clarke Co., Ltd.: Red and white pine, \$12.13 per M. ft. B.M. Jack pine, \$6.50 per M. ft. B.M. Large spruce, \$7.13 per M. ft. B.M. Spruce pulpwood, \$2.00 per cord. Balsam pulpwood, \$2.00 per cord. Jack pine pulpwood, .55 per cord. J. A. Mathieu Limited: Red and white pine, \$12.10 per M. ft. B.M. Jack pine, \$6.50 per M. ft. B.M. Spruce, \$7.00 per M. ft. B.M. Spruce pulpwood, \$2.00 per cord. Balsam pulpwood, \$2.00 per cord. Jack pine pulpwood, .55 per cord. Berth 43—Shevlin-Clarke Co., Ltd.: Red and white pine, \$10.13 per M. ft. B.M. Jack pine, \$6.50 per M. ft. B.M. Large spruce, \$7.13 per M. ft. B.M. Spruce pulpwood, \$2.00 per cord. Balsam pulpwood, \$2.00 per cord. Jack pine pulpwood, .55 per cord. J. A. Mathieu Limited: Red and white pine, \$10.10 per M. ft. B.M. Jack pine, \$6.50 per M. ft. B.M. Spruce, \$7.00 per M. ft. B.M. Spruce pulpwood, \$2.00 per cord. Balsam pulpwood, \$2.00 per cord. Jack pine pulpwood, .55 per cord. Berth J. A. 21—Shevlin-Clarke Co.: Ltd.: Red and white pine, \$9.63 per M. ft. B.M. Jack pine, \$6.13 per M. ft. B.M. J. A. Mathieu Limited: Red and white pine, \$9.27½ per M. ft. B.M. Jack pine, \$5.75 per M. ft. B.M. 4. 1927-28, 320 square miles; 1928-29, 210¾ square miles; 1929-30, 198¾ square miles; 1930-31, 132¾ square miles; 1931-32, 132¾ square miles; 1932-33, 118¼ square miles. 5. 1927-28, \$514,349.89; 1928-29, \$381,289.68; 1929-30, \$270,602.87; 1930-31, \$154,323.47; 1931-32, \$1,527.60; 1932-33, \$1,368.00.



Mr. Bragg asked the following Question (No. 37):—

1. What was the cost of labour, exclusive of that performed by members of the Department's regular staff, used in the building, finishing and equipping of the fireboat "Wasp" used on Lake Timagami last summer. 2. What was the cost of labour performed by the Department's regular staff in connection with the above work. 3. What was the total cost of all the material used in the construction, finishing and equipping, exclusive of the purchase price of the engine of the fireboat "Wasp." 4. What is the make, rated horsepower and model of the engine purchased. 5. What was the purchase price of the above engine. 6. From whom was the engine purchased. 7. For how long and to what extent has the above engine been used prior to its purchase by the Department. 8. Was mahogany wood or lumber used in the construction or finishing of the "Wasp." 9. Were chromium-plated fittings used in finishing or equipping it. 10. Could a serviceable and satisfactory fireboat have been built had materials of a less costly kind than those indicated in 8 and 9 been used. 11. Was Finner Fenson employed by the Department in connection with the building of the "Wasp." If so, what amount was paid him for his services and how many days was he employed. 12. Was Tom Johnson employed by the Department in connection with the installation of the engine in the fireboat "Wasp." If so, what amount was paid him for his services and how many days was he employed. 13. Has the fireboat "Wasp" been used for the transportation or entertainment of any groups of persons other than those employed in the Government's service. If so, how often and to what extent has the "Wasp" been thus used. 14. How many miles were covered by the "Wasp" during the past season. 15. How many gallons of gasoline were consumed by the "Wasp" during the past season.

The Honourable the Minister of Lands and Forests replied as follows:—

1. \$249.60. 2. \$423.60. 3. \$2,146.79. 4. Kermath Marine motor, 150 horsepower, Model 150, dual valve. 5. \$1,200.00. 6. Kermath Manufacturing Company of Canada, Limited. 7. Used for four months in each of the four years, 1929, 1930, 1931, 1932. Was completely rebuilt before being purchased by the Department. 8. A quantity of Gaboon wood (sometimes called Phillipine mahogany), amounting to \$294.18. 9. Chromium-plated metal was used for certain exposed parts, costing \$44.50. 10. No. 11. Yes, 64 days at \$3.90 per day, \$249.60. 12. Yes, 25 hours at 40 cents per hour, \$10.00. 13. Yes. Used for transportation on two short trips. 14. 1,184 miles. 15. 610 gallons.

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Mr. Robertson asked the following Question (No. 42):—

1. Who were the purchasers of the bonds of the recent Ontario Government loan of \$40,000,000. 2. What price was obtained by the Ontario Government upon the par value of each bond. 3. What was the cost of advertising sale of such bonds. 4. What was the cost of the legal opinions in respect to terms and validity of such bonds. 5. What legal firms or lawyers were retained to give opinions in respect to such bonds.

The Honourable the Prime Minister replied as follows:—

1. For obvious reasons, this is not a matter of public information.

2. \$98.75 for 4 per cent. bonds due 1937. \$99.50 for 4½ per cent. bonds due 1940. \$96.00 for 4½ per cent. bonds due 1949. Average cost to Province, 4.64 per cent. 3. and 4. Bills for advertising and legal opinion not as yet rendered. 5. E. G. Long, K.C.

Mr. Baxter asked the following Question (No. 43):—

1. What amounts are owing to the Ontario Government of amusement taxes: (a) during 1930; (b) during 1931; (c) during 1932; (d) during 1933. 2. What companies, firms or persons owe such taxes during these years, their addresses and the amounts.

The Honourable the Prime Minister replied as follows:—

1. (a), (b), (c), (d). 2.

Owner or Licensee	Place of Amusement	Address	Amount
Year 1930			
Ukranian Labour Farmers Temple, Michael Phillips.....	Ukranian Temple.....	St. Catharines.....	\$ .01
L.O.L. No. 2323, V. Levinson, Mgr.	Orange Hall.....	South Porcupine....	.10
Otter Lodge No. 50, I.O.O.F., Chas. J. Honsberger.....	I.O.O.F. Hall.....	Tillsonburg.....	.04
Western Racing Ass'n., Ltd.....	Devonshire Park.....	Windsor.....	.22
			—\$ .37
Year 1931:			
Chas. O'Neill.....	Palmetto Pavilion.....	Erinville.....	\$ .01
Mrs. Maggie Perry.....	Perry Dance Pavillion...	Trout Mills.....	.01
Fred Davey, Mgr.....	Town Hall.....	Wroxeter.....	.02
			— .04
Year 1932:			
Wm. Leavitt.....	Leavitt's Theatre.....	Exeter.....	\$ .01
Trustees, I.O.O.F. Hall, Chas. R. Fegan, Sec.....	Oddfellows Hall.....	Fenwick.....	.04
Finnish Org., Local No. 31, John Kallander, Mgr.....	Finnish Hall.....	Kirkland Lake.....	.02
R. L. Barber, 84 Norfolk Street, Guelph.....	Swastika Beach Pavilion..	Puslinch Lake.....	.06
Court Dufferin, C.O.F., No. 46, C. W. Medd.....	C.O.F. Hall.....	Manchester.....	.06
Society of Franko, Roy Letivin...	Ukranian National Club..	Thorold.....	.03
			— .22
Year 1933:			
Village of Arthur, A. L. Pinder, Clerk.....	Town Hall.....	Arthur.....	\$ .24
I.O.O.F., J. A. Griffith, Treas.....	I.O.O.F. Hall.....	Burlington.....	.06
Ukranian Farmers Temple Ass'n., M. Rabkow, Mgr.....	Ukranian Labour Temple..	Kenora.....	.06
E. R. Gensus.....	Regent Theatre.....	New Hamburg.....	.09
*Hammond & Tupling, Ernest L. Hammond, Mgr.....	Elgin Theatre.....	Port Elgin.....	24.75
F. Davey.....	Orange Hall.....	51 Lansdowne Ave., Sault Ste. Marie..	.02
Mrs. James Tweed.....	Opera House.....	Tweed.....	.01
Border Cities Y.M. and Y.W.C.A., C. A. Schell, Sec.....	Ass'n. Club Rooms.....	Windsor.....	.05
			— 25.28
			\$25.91

\*Of this amount, \$12.25 has since been paid and the Department expects to collect the balance of \$12.50 shortly.



The following Bills were severally read the second time:—

Bill (No. 5), An Act respecting the City of Brantford.

Referred to a Committee of the Whole House on Monday next.

Bill (No. 11), An Act respecting the City of Toronto.

Referred to a Committee of the Whole House on Monday next.

Bill (No. 14), An Act respecting the City of Hamilton.

Referred to a Committee of the Whole House on Monday next.

Bill (No. 22), An Act respecting the Town of Collingwood.

Referred to a Committee of the Whole House on Monday next.

Bill (No. 30), An Act respecting the City of Kingston.

Referred to a Committee of the Whole House on Monday next.

Bill (No. 33), An Act respecting the Brantford Young Men's Christian Association.

Referred to a Committee of the Whole House on Monday next.

Bill (No. 29), An Act respecting the City of London.

Referred to a Committee of the Whole House on Monday next.

Bill (No. 67), An Act to amend The Public Health Act.

Referred to a Committee of the Whole House on Monday next.

Bill (No. 68), An Act to amend The Venereal Diseases Prevention Act.

Referred to a Committee of the Whole House on Monday next.

Bill (No. 69), An Act to amend The Community Halls Act.

Referred to a Committee of the Whole House on Monday next.

Bill (No. 70), An Act to amend The Dog Tax and Sheep Protection Act.

Referred to a Committee of the Whole House on Monday next.

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The House resolved itself into a Committee to consider Bill (No. 63), An Act to amend The Factory, Shop and Office Building Act, and, after some time

spent therein, Mr. Speaker resumed the Chair; and Mr. Black reported, That the Committee had directed him to report the Bill without any amendment.

*Ordered*, That the Bill be read the third time on Monday next.

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The House resolved itself into a Committee to consider Bill (No. 65), An Act to amend The Temiskaming and Northern Ontario Railway Act, and, after some time spent therein, Mr. Speaker resumed the Chair; and Mr. Black reported, That the Committee had directed him to report the Bill without any amendment.

*Ordered*, That the Bill be read the third time on Monday next.

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The House resolved itself into a Committee to consider Bill (No. 66), An Act to amend The Succession Duty Act, and, after some time spent therein, Mr. Speaker resumed the Chair; and Mr. Black reported, That the Committee had directed him to report the Bill without any amendment.

*Ordered*, That the Bill be read the third time on Monday next.

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The House resolved itself into a Committee, severally to consider the following Bills:—

Bill (No. 3), An Act respecting the City of Oshawa.

Bill (No. 4), An Act respecting The Industrial Mortgage and Trust Company and the East Lambton Farmers' Loan and Savings Company.

Bill (No. 9), An Act respecting the Town of Weston.

Bill (No. 10), An Act respecting the City of Welland.

Bill (No. 20), An Act respecting the Village of Woodbridge.

Bill (No. 24), An Act respecting the Bankers' Trust Company.

Mr. Speaker resumed the Chair; and Mr. Black reported, That the Committee had directed him to report the several Bills without amendments.

*Ordered*, That the Bills reported, be severally read the third time on Monday next.

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The House resolved itself into a Committee to consider Bill (No. 28), An Act respecting the City of St. Catharines, and, after some time spent therein, Mr. Speaker resumed the Chair; and Mr. Black reported, That the Committee had directed him to report progress, and ask for leave to sit again.

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The House then adjourned at 4.15 p.m.

## MONDAY, FEBRUARY 26TH, 1934

PRAYERS.

3 O'CLOCK P.M.

The following Bills were severally introduced and read the first time:—

Bill (No. 79), intituled "An Act to amend The Loan and Trust Corporation Act." *Mr. Price* (Parkdale).

*Ordered*, That the Bill be read a second time To-morrow.

Bill (No. 80), intituled "An Act to amend The Municipal Act." *Mr. Baird*.

*Ordered*, That the Bill be read a second time To-morrow.

The following Bills were read the third time and were passed:—

Bill (No. 47), The Battle of Ridgeway Memorial Parks Act.

Bill (No. 58), An Act to amend The Provincial Loans Act.

Bill (No. 57), An Act respecting the Ontario Institute of Radio Therapy.

Bill (No. 60), An Act to amend The Children's Protection Act.

Bill (No. 1), An Act respecting the Mount McKay and Kakabeka Falls Railway Company.

Bill (No. 7), An Act respecting the Town of Prescott.

Bill (No. 12), An Act respecting Hamilton By-Product Coke Ovens Limited.

Bill (No. 6), An Act respecting the Township of Etobicoke.

Bill (No. 3), An Act respecting the City of Oshawa.

Bill (No. 4), An Act respecting the Industrial Mortgage and Trust Company and the East Lambton Farmers' Loan and Savings Company.

Bill (No. 9), An Act respecting the Town of Weston.

Bill (No. 10), An Act respecting the City of Welland.

Bill (No. 20), An Act respecting the Village of Woodbridge.

Bill (No. 24), An Act respecting the Bankers Trust Company.

The following Bill was read the second time:—

Bill (No. 72), An Act to amend The Assessment Act.

Referred to the Committee on Municipal Law.

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The Order of the Day for the third reading of Bill (No. 66), An Act to amend The Succession Duty Act, having been read,

*Ordered*, That the Order be discharged, and that the Bill be forthwith again referred to a Committee of the Whole, with instructions to amend the same.

The House accordingly resolved itself into the Committee; and, after some time spent therein, Mr. Speaker resumed the Chair; and Mr. Black reported, That the Committee had amended the Bill as directed.

*Ordered*, That the Bill be read the third time forthwith.

The Bill was then read the third time, and passed.

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The House resolved itself into a Committee, severally to consider the following Bills:—

Bill (No. 5), An Act respecting the City of Brantford.

Bill (No. 11), An Act respecting the City of Toronto.

Bill (No. 14), An Act respecting the City of Hamilton.

Bill (No. 22), An Act respecting the Town of Collingwood.

Bill (No. 30), An Act respecting the City of Kingston.

Bill (No. 33), An Act respecting the Brantford Young Men's Christian Association.

Bill (No. 29), An Act respecting the City of London.

Mr. Speaker resumed the Chair; and Mr. Black reported, That the Committee had directed him to report the several Bills without amendments.

*Ordered*, That the Bills reported, be severally read the third time To-morrow.

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The House resolved itself into a Committee to consider Bill (No. 67), An Act to amend The Public Health Act, and, after some time spent therein, Mr.



Speaker resumed the Chair; and Mr. Black reported, That the Committee had directed him to report the Bill with a certain amendment.

*Ordered*, That the amendment be taken into consideration forthwith.

The amendment, having been read the second time, was agreed to.

*Ordered*, That the Bill be read the third time To-morrow.

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The House resolved itself into a Committee to consider Bill (No. 68), An Act to amend The Venereal Diseases Prevention Act, and, after some time spent therein, Mr. Speaker resumed the Chair; and Mr. Black reported, That the Committee had directed him to report the Bill without any amendment.

*Ordered*, That the Bill be read the third time To-morrow.

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The House resolved itself into a Committee to consider Bill (No. 69), An Act to amend The Community Halls Act, and, after some time spent therein, Mr. Speaker resumed the Chair; and Mr. Black reported, That the Committee had directed him to report the Bill without any amendment.

*Ordered*, That the Bill be read the third time To-morrow.

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The House resolved itself into a Committee to consider Bill (No. 70), An Act to amend The Dog Tax and Sheep Protection Act, and, after some time spent therein, Mr. Speaker resumed the Chair; and Mr. Black reported, That the Committee had directed him to report the Bill without any amendment.

*Ordered*, That the Bill be read the third time To-morrow.

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The Provincial Secretary presented to the House, by command of His Honour the Lieutenant-Governor:—

Annual Report of The Minimum Wage Board, Ontario, 1933. (*Sessional Papers No. 43.*)

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The House then adjourned at 4.00 p.m.

TUESDAY, FEBRUARY 27TH, 1934

PRAYERS.

3 O'CLOCK P.M.

Mr. McBrien from the Standing Committee on Standing Orders presented their Third and Final Report, which was read as follows and adopted:—

Your Committee has carefully examined the following Petitions and finds the notice as published in each case sufficient:—

Of the Municipal Corporation of the Township of York, praying that an Act may pass validating debenture by-laws to the amount of \$599,201.38, to form a Board of Education and for other purposes.

Of the Municipal Corporation of the Town of Southampton, praying that an Act may pass validating a by-law of the Petitioners to guarantee debentures of the Bell Furniture Company, Limited, to the amount of \$30,000.00.

Of the Municipal Corporation of the City of Ottawa, praying that an Act may pass authorizing debenture by-laws to the amount of \$990,000.00, to validate tax sales, to regulate by by-law the operations of transient traders and for other purposes.

Of the Municipal Corporation of the City of Chatham, praying that an Act may pass authorizing a change in the method of collecting income and business taxes.

Of the Municipal Corporation of the Township of Teck, praying that an Act may pass to validate debenture by-laws to the amount of \$115,000.00 and for other purposes.

Of the Municipal Corporation of the City of St. Thomas, praying that an Act may pass validating By-law No. 2983 of the Petitioners, authorizing the guarantee by the Petitioners of debentures to the value of \$45,000.00 for the Canada Vitrified Products, Limited.

Of the Municipal Corporation of the Township of Cornwall, praying that an Act may pass validating an agreement between the Petitioners and Courtaulds (Canada) Limited, providing for a fixed assessment of \$800,000.00 on the lands of the Company.

Of the Municipal Corporation of the Town of Cornwall and the Municipal Corporation of the Township of Cornwall, praying that an Act may pass validating an agreement made by the Petitioners with Canadian Industries Limited, regarding the erection of an industrial plant by the latter party.

Of the University of Regiopolis, praying that an Act may pass authorizing the changing of the name of the University to Canada University, repealing some of the present Acts affecting the University and exempting its lands from expropriation by Municipal authorities and for other purposes.

In connection with the Petition of William Edwards MacDonald, praying that an Act may pass authorizing the Law Society of Upper Canada to admit the Petitioner to practice as a Barrister in the Courts of Ontario, your Committee recommends that the petition be not reported on the grounds that the Rules of the House have not been complied with, notice of intention to apply for such a Bill not having been advertised up to this date.

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The following Bills were severally introduced and read the first time:—

Bill (No. 23), intituled "An Act respecting the Township of York." *Mr. Price* (York, West).

Referred to the Committee on Private Bills.

Bill (No. 36), intituled "An Act respecting the Town of Southampton." *Mr. Heighington*.

Referred to the Committee on Private Bills.

Bill (No. 39), intituled "An Act respecting the City of Ottawa." *Mr. Ellis*.

Referred to the Committee on Private Bills.

Bill (No. 38), intituled "An Act respecting the City of Chatham." *Mr. Calder*.

Referred to the Committee on Private Bills.

Bill (No. 13), intituled "An Act respecting the Township of Teck." *Mr. Kenning*.

Referred to the Committee on Private Bills.

Bill (No. 17), intituled "An Act respecting the City of St. Thomas." *Mr. Raven*.

Referred to the Committee on Private Bills.

Bill (No. 40), intituled "An Act respecting the Township of Cornwall." *Mr. McNaughton*.

Referred to the Committee on Private Bills.

Bill (No. 41), intituled "An Act respecting the Township of Cornwall and the Town of Cornwall." *Mr. McNaughton*.

Referred to the Committee on Private Bills.

Bill (No. 27), intituled "An Act respecting the University of Regiopolis." *Mr. Hambly.*

Referred to the Committee on Private Bills.

Bill (No. 81), intituled "The Milk Control Act." *Mr. Kennedy (Peel).*

*Ordered,* That the Bill be read the second time To-morrow.

Bill (No. 82), intituled "An Act to amend The Lakes and Rivers Improvement Act." *Mr. Heighington.*

*Ordered,* That the Bill be read a second time To-morrow.

Bill (No. 83), intituled "An Act to amend The Assessment Act." *Mr. Clark.*

*Ordered,* That the Bill be read a second time To-morrow.

Bill (No. 84), intituled "An Act to amend The Division Courts Act." *Mr. Smith (Essex, South).*

*Ordered,* That the Bill be read a second time To-morrow.

Bill (No. 85), intituled "An Act to amend The Public Health Act." *Mr. Hutchinson.*

*Ordered,* That the Bill be read a second time To-morrow.

Bill (No. 86), intituled "An Act to amend The Drugless Practitioners Act." *Mr. Hutchinson.*

*Ordered,* That the Bill be read a second time To-morrow.

Bill (No. 87), intituled "An Act to amend The Medical Act." *Mr. Hutchinson.*

*Ordered,* That the Bill be read a second time To-morrow.

Bill (No. 88), intituled "An Act to amend The Coroner's Act." *Mr. Hutchinson.*

*Ordered,* That the Bill be read a second time To-morrow.

Bill (No. 89), intituled "An Act to amend The Vital Statistics Act." *Mr. Hutchinson.*

*Ordered,* That the Bill be read a second time To-morrow.

Bill (No. 90), intituled "An Act to amend The Workmen's Compensation Act." *Mr. Hutchinson.*

*Ordered,* That the Bill be read a second time To-morrow.



The Order of the Day for resuming the Adjourned Debate on the Amendment to the Amendment to the Motion for the consideration of the Speech of The Honourable the Lieutenant-Governor of the Province of Ontario, at the opening of the Session, having been read,

The Debate was resumed,

And after some time,

The Amendment to the Amendment:—

“That all the words in the Amendment after the first word ‘That’ be omitted and the following be substituted therefor:

“The following be added to the Address: ‘And this House accepts with satisfaction Your Honour’s encouraging references to the progress being made towards the recovery of business and industry, and joins cordially in the hope that our country will soon be on the road to enduring prosperity.’”

Having been put was carried on the following Division:—

#### YEAS

Acres	Jamieson	Oakley
Aubin	Jutten	Poisson
Baird	Kennedy	Price
Bell	(Temiskaming)	(York, West)
Berry	Kennedy	Raven
Black	(Peel)	Reid
Blanchard	Kenning	Richardson
Burt	Lancaster	Robb
Calder	Laughton	St. Denis
Case	Lyons	Sanderson
Challies	Macaulay	Scholfield
Clark	Mahony	Seguin
Colliver	Martin	Shields
Cooke	(Hamilton, West)	Singer
Craig	Martin	Smith
Davis	(Brantford)	(Essex, South)
Ecclestone	Moore	Smith
Elliott	Morrison	(Greenwood)
Ellis	Murphy	Spence
Finlayson	(St. Patrick)	Staples
Fraleigh	Murphy	Stedman
Freele	(Beaches)	Strickland
Harrison	McArthur	Vaughan
Heighington	McBrien	Waters
Henry	McCrea	Willson
Hill	McLean	(Niagara Falls)
Hogarth	McMillen	Wilson
Honeywell	McNaughton	(Lincoln)
Ireland	Nesbitt	Wright—76.

## NAYS

Baxter	Munro	Ross
Blakelock	Murray	Sangster
Bragg	McQuibban	Simpson
Campbell	Newman	Sinclair
Hutchinson	Nixon	Slack
Mackay	Oliver	Taylor—20.
Medd	Robertson	

## PAIRS

Mr. Price  
(Parkdale)

Mr. Hipel

The main Motion as amended having been submitted was then carried on the same Division.

And it was,

*Resolved:* That an humble Address be presented to The Honourable the Lieutenant-Governor of the Province of Ontario, as follows:—

*To The Honourable Herbert Alexander Bruce,  
a Colonel in the Royal Army Medical Corps, F.R.C.S. (Eng.),  
Lieutenant-Governor of the Province of Ontario.*

We, His Majesty's most dutiful and loyal subjects, the Legislative Assembly of the Province of Ontario, now assembled, beg leave to thank Your Honour for the gracious speech Your Honour has addressed to us. And this House accepts with satisfaction Your Honour's encouraging references to the progress being made towards the recovery of business and industry, and joins cordially in the hope that our country will soon be on the road to enduring prosperity.

The Address, having been read the second time, was agreed to.

*Ordered,* That the Address be engrossed and presented to The Honourable the Lieutenant-Governor by those Members of this House who are Members of the Executive Council.

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On motion by Mr. Henry, seconded by Mr. McCrea,

*Resolved:* That this House will on Thursday next resolve itself into the Committee of Supply.

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On motion by Mr. Henry, seconded by Mr. McCrea,

*Resolved:* That this House will on Thursday next resolve itself into the Committee of Ways and Means.

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The House then adjourned at 10.40 p.m.

## WEDNESDAY, FEBRUARY 28TH, 1934

PRAYERS.

3 O'CLOCK P.M.

The following Bills were severally introduced and read the first time:—

Bill (No. 91), intituled "The Highway Traffic Act, 1934." *Mr. Macaulay.*

*Ordered*, That the Bill be read a second time To-morrow.

Bill (No. 92), intituled "An Act to amend The Municipal Act." *Mr. Freele.*

*Ordered*, That the Bill be read a second time To-morrow.

Mr. Simpson asked the following Question (No. 28):—

1. What has been the cost of keeping the highway in shape for winter driving during the years 1931, 1932, 1933 between Barrie and Orillia. 2. How many sections is this road divided into for this purpose. 3. How many men have been employed in each of the above years.

The Honourable the Minister of Public Works and Highways replied as follows:—

1. 1931, \$6,317.21; 1932, \$4,406.54; 1933, \$1,374.90. 2. 1931 and 1932, three patrols; 1933, portion of one patrol. 3. 1931, 32; 1932, 31; 1933, 33. Note "A": In 1931 and 1932, the maximum number of men employed was reached only on two or three days a month, the usual number being five or six men. In 1933 the maximum was employed on three or four days a month only, the usual number being two. Note "B": In each of the above years, the snow-plow responsible for keeping the road open operated from Bradford to the Severn and as required from Barrie to Stayner and Midhurst to Midland. Cost of snow-ploughing varies with the number of hours snow-plough is at work.

Mr. Hutchinson asked the following Question (No. 34):—

1. How many tenders were received by the Department of Lands and Forests in connection with the sale of timber area north of McGregor Township, east of Onion Lake, District of Thunder Bay, November 19th, 1928; File No. 16064. 2. What were the bids made by each tenderer for Jack pine sawlogs, spruce sawlogs, spruce pulpwood, balsam pulpwood, poplar pulpwood, and ties. 3. Which of the above tenders was accepted by the Department. 4. What quantities of Jack pine sawlogs, spruce sawlogs, spruce pulpwood, balsam pulpwood, poplar pulpwood, and ties have, in each case, been cut by the purchaser. 5. Does the price of \$1.00 per cord for spruce and balsam pulpwood which was set by the Department during the present cutting season for pulpwood cut by some of the

large pulp and paper companies apply to the spruce and balsam pulpwood cut on the above area. 6. Is the license to cut timber on the above area still held by the person or persons to whom it was issued on November 19th, 1928. If not, for what reason was it cancelled, transferred or surrendered and who is the present holder of it. 7. Has the holder of the above license cut upon the area granted each and every season since the license was issued. If not, what years has he failed to cut upon the area in question. 8. What other area or areas are held under license, lease or permit by the person or persons holding the license to cut upon the above area.

The Honourable the Minister of Lands and Forests replied as follows:—

1. Seven. 2. Oscar Lehtinen, Port Arthur, Ontario: Large Jack pine, \$10.50 per M. ft. B.M.; large spruce, \$10.00 per M. ft. B.M.; spruce pulpwood, \$3.60 per cord; balsam pulpwood, \$2.65 per cord; poplar pulpwood, \$1.95 per cord; ties, .28 each. E. E. Johnson, Port Arthur, Ontario: Large Jack pine, \$10.50 per M. ft. B.M.; large spruce, \$10.00 per M. ft. B.M.; spruce pulpwood, \$2.75 per cord; balsam pulpwood, \$2.65 per cord; poplar pulpwood, \$4.75 per cord; ties, .24 each. Pigeon Timber Company, Limited, Port Arthur, Ontario: Large Jack pine, \$9.50 per M. ft. B.M.; large spruce, \$8.75 per M. ft. B.M.; spruce pulpwood, \$2.10 per cord; balsam pulpwood, \$2.85 per cord; poplar pulpwood, \$6.25 per cord; ties, .21 each. Thomas Falls, Port Arthur, Ontario: Large Jack pine, \$9.00 per M. ft. B.M.; large spruce, \$9.00 per M. ft. B.M.; spruce pulpwood, \$3.46 per cord; balsam pulpwood, \$1.70 per cord; poplar pulpwood, .50 per cord; ties, .24 each. Abitibi Power & Paper Company, Limited, Sault Ste. Marie, Ontario: Large Jack pine, \$12.00 per M. ft. B.M.; large spruce, \$10.00 per M. ft. B.M.; spruce pulpwood, \$3.10 per cord; balsam pulpwood, \$2.00 per cord; poplar pulpwood, .50 per cord; ties, .31 each. J. E. Kallio, 105 Ontario Street, Port Arthur, Ontario: Large Jack pine, \$14.50 per M. ft. B.M.; large spruce, \$14.50 per M. ft. B.M.; spruce pulpwood, \$2.76 per cord; balsam pulpwood, \$2.00 per cord; poplar pulpwood, \$1.00 per cord; ties, .25 each. The Western Contracting Company, Limited, Port Arthur, Ontario: Large Jack pine, \$9.00 per M. ft. B.M.; large spruce, \$8.00 per M. ft. B.M.; spruce pulpwood, \$3.11 per cord; balsam pulpwood, \$2.00 per cord; poplar pulpwood, .50 per cord; ties, .26 each. 3. The tender of Oscar Lehtinen was the highest, but it was unaccompanied by a marked cheque and although Lehtinen was given an opportunity of complying with requirements, he failed to do so and the tender of E. E. Johnson, being the next highest, was accepted. 4. Jack pine, 112,196 ft. B.M.; spruce, 41,505 ft. B.M.; spruce pulpwood, 79,618 cords; balsam pulpwood, 696 cords; ties, 50,188. 5. A reduction of 40c. a cord from the Crown Dues of \$1.40 a cord on spruce pulpwood for the current season is applicable to all Crown areas under license. There is no reduction on balsam pulpwood. 6. Yes. Immediately after the sale Johnson requested that license issue in name of the Pigeon Timber Company, Limited, and this was done. 7. Yes. 8. Area southwest of Greenwater Lake; McTavish Township, part; Berth 0.8; Berth. 0.9; Nipigon Straits Limit; Fowler Township, part; Area north, east and west of Onion Lake; Area east of Dog Lake and adjacent to Onion Lake Limit.

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Mr. Murray asked the following Question (No. 52):—



1. Does the Abitibi Power and Paper Company, Limited, hold the undeveloped water power of the Long Sault Rapid on the Abitibi River under license, lease or grant from the Crown. 2. What is the annual rental paid by the Abitibi Power and Paper Company, Limited, for the right to hold the above-named undeveloped water power. 3. What conditions, with respect to development, were imposed by the Government when the lease was granted and have same been fully complied with. 4. When does the present lease to the above-named water power expire and what provision has been made for its renewal. 5. What is (a) the estimated horsepower of the above-named water power. (b) When was the lease granted. (c) What is the total amount received to date in rentals.

The Honourable the Minister of Lands and Forests replied as follows:—

1. Yes, by Power Lease No. 24. 2. \$2,000 per year. 3. To be developed to the full extent when required by the Lieutenant-Governor in Council. The power situation in the locality has not yet required the development of this power. 4. July 31st, 1945, with provision for renewal for further terms of fifteen years each at a rental to be fixed by the Minister. 5. (a) 20,000 h.p. under ordinary normal flow. (b) 11th of November, 1926. (c) \$16,000.

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Mr. Slack asked the following Question (No. 58):—

What was the total cost of the building and furnishing of the new Assembly Hall at the Ontario Hospital, Hamilton.

The Honourable the Minister of Public Works and Highways replied as follows:—

\$140,740.67.

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Mr. Taylor asked the following Question (No. 59):—

1. When was the last contract made between the Hydro-Electric Power Commission and the Village of Stirling, Ontario. 2. At what rate or rates was this contract made. 3. For what period is the contract to continue.

The Honourable Mr. Cooke replied as follows:—

1. January 13th, 1930. 2. The cost of power as adjusted annually by the Hydro-Electric Power Commission. Cost for 1932, \$32.87 per horsepower. 3. Forty years.

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Mr. Medd asked the following Question (No. 60):—

1. How much road building material has been purchased by the Department of Highways from the southerly 50 acres of Lot 27, Concession 2, south of Dundas Street, Toronto Township, from January 1st, 1933, up to the present time.

2. From whom were such purchases made.
3. What was the price per cubic yard or other measurement.
4. What sum has been paid to date for this material.
5. What amount is yet due to be paid.

The Honourable the Minister of Public Works and Highways replied as follows:—

1. The Department has an option to purchase Borrow Pit.
  2. Option with W. Slade and Frances Johnson.
  3. Option at \$350.00 per acre.
  4. No payment yet made.
  5. This depends on amount of material required.
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Mr. Hipel asked the following Question (No. 66):—

1. What amount of each issue of the recent \$40,000,000 loan was allotted to or purchased by the following: (a) Bank of Montreal. (b) Bank of Nova Scotia. (c) F. W. Kerr & Company (Investment Bankers).

The Honourable the Prime Minister replied as follows:—

A similar question to this was answered on February 21st. See Votes and Proceedings, page 110.

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On motion of Mr. Baxter, seconded by Mr. Mackay,

*Ordered*, That there be laid before the House a Return showing: 1. What salaries have been paid members of the Ontario Research Foundation, and what amount annually does each member of the staff receive in (a) remuneration; (b) travelling expenses and allowances; (c) per diem if not on salary.

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On motion of Mr. Heighington, seconded by Mr. Smith (Essex, South),

*Resolved*, That, in the opinion of this House, the Government should be authorized, in making regulations for distribution of moneys under The Unemployment Relief Act, to consider any special application from a Municipal Corporation of a Town or City for the use of Government Grants towards the abolition of slum areas and the development of those areas under new housing schemes.

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The following Bills were severally read the second time:—

Bill (No. 71), An Act to amend The Municipal Act.

Referred to the Committee on Municipal Laws.

Bill (No. 73), An Act to amend The Assessment Act.

Referred to the Committee on Municipal Laws.

Bill (No. 75), An Act to amend The Municipal Act.

Referred to the Committee on Municipal Laws.

Bill (No. 76), An Act to amend The Assessment Act.

Referred to the Committee on Municipal Laws.

Bill (No. 78), An Act to amend The Highway Traffic Act.

Referred to the Committee on Legal Bills.

Bill (No. 80), An Act to amend The Municipal Act.

Referred to the Committee on Municipal Laws.

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The House then adjourned at 6.05 p.m.

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## THURSDAY, MARCH 1ST, 1934

PRAYERS.

3 O'CLOCK P.M.

Mr. McCrea from the Standing Committee on Private Bills presented their Fourth Report, which was read as follows and adopted:—

Your Committee beg to report the following Bills without amendment:—

Bill (No. 32), An Act respecting the Township of McIrvine.

Bill (No. 34), An Act respecting the City of Port Arthur.

Your Committee beg to report the following Bills with certain amendments:—

Bill (No. 8), An Act respecting the Town of Ojibway.

Bill (No. 18), An Act to incorporate the Kenora Young Men's Christian Association.

Bill (No. 19), An Act to incorporate the Village of Port Sydney.

Bill (No. 21), An Act respecting the Township of North York.

Bill (No. 25), An Act respecting the Village of St. Clair Beach.

With respect to above-mentioned Bills (Nos. 21 and 34), your Committee is of opinion that it is unnecessary that the Schedules thereto be printed in the Statutes and therefore recommend that the same be struck out.

Your Committee would recommend that the fees less the penalties and the actual cost of printing be remitted on Bill (No. 18), "An Act to incorporate the Kenora Young Men's Christian Association," on the ground that it relates to a religious institution.

*Ordered*, That the fees less the penalties and the actual cost of printing be remitted on Bill (No. 18), "An Act to incorporate the Kenora Young Men's Christian Association," on the ground that it relates to a religious institution.

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Mr. Challies presented to the House, by command of The Honourable the Lieutenant-Governor:—

Public Accounts of the Province of Ontario for the twelve months ending October 31st, 1933. (*Sessional Papers No. 1.*)

*Ordered*, That the Public Accounts of the Province be referred to the Standing Committee on Public Accounts.

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The following Bills were severally introduced and read the first time:—

Bill (No. 93), intituled "An Act to amend The Municipal Act." *Mr. Wilson* (Lincoln).

*Ordered*, That the Bill be read the second time To-morrow.

Bill (No. 94), intituled "An Act to amend The Municipal Act." *Mr. Ellis*.

*Ordered*, That the Bill be read a second time To-morrow.

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Mr. Hipel asked the following Question (No. 26):—

1. Has the cost of any resurfacing, repairs, replacements, or works of any nature on the Provincial Highway System been raised by borrowing moneys and charging same to Capital Account, on any sections where the original capital charges had not been retired before the second capital charge was made. 2. If so, what amounts have been so charged.



The Honourable the Prime Minister replied as follows:—

1. When the Department of Highways first started road construction, early in 1920, between 800 and 900 miles of road was taken over and the initial construction work which was carried out was in the nature of what is known as Macadam road or Macadam base. As traffic and other conditions necessitated a superior type, the Department constructed a top of a different character on the original road. The expenditure made on this increased the actual cost of the roads in question and was charged to capital account. This arrangement is still being carried out and the Department has some miles still left to be topped in this way. On the balance of mileage, where standard pavement has been laid, no replacements have been required. 2. Answered by No. 1.

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The Order of the Day for the House to resolve itself into the Committee of Supply having been read,

Mr. Henry moved,

That Mr. Speaker do now leave the Chair and that the House do resolve itself into the Committee of Supply.

And a Debate having ensued, it was, on the motion of Mr. Simpson,

*Ordered*, That the Debate be adjourned until Tuesday next.

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The House then adjourned at 5.10 p.m.

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FRIDAY, MARCH 2ND, 1934

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PRAYERS.

3 O'CLOCK P.M.

The following Bills were severally introduced and read the first time:—

Bill (No. 95), intituled "An Act to amend The Dentistry Act." *Mr. Robb.*

*Ordered*, That the Bill be read a second time on Monday next.

Bill (No. 96), intituled "An Act to amend The Medical Act." *Mr. Robb.*

*Ordered*, That the Bill be read a second time on Monday next.

Bill (No. 97), intituled "An Act to amend The Municipal Act." *Mr. Moore.*

*Ordered,* That the Bill be read a second time on Monday next.

Bill (No. 98), intituled "An Act to amend The Public Libraries Act." *Mr. Moore.*

*Ordered,* That the Bill be read a second time on Monday next.

Bill (No. 99), intituled "An Act to amend The Municipal Act." *Mr. Moore.*

*Ordered,* That the Bill be read a second time on Monday next.

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Mr. Sangster asked the following Question (No. 19):—

1. Who are or were the various Directors of the Ontario Department of Health during the years 1930, 1931, 1932 and 1933. 2. What salaries, expenses and disbursements were each allowed during each of the above years. 3. Who are or were the District Officers of Health during the above years and what amount did each officer receive for (a) salary; (b) travelling expenses; (c) other expenses. 4. What was the yearly expenditure of this Department during each of the above-mentioned years.

The Honourable the Minister of Health and Labour replied as follows:—

1. See 1930 Public Accounts, pages M 5 to 10 inclusive; see 1931 Public Accounts, pages M 13, 14, 16, 17, 18, 19, 22, 23; see 1932 Public Accounts, pages M 14, 15, 17, 18, 19, 20, 22, 23, 24; see 1933 Public Accounts, pages M 17, 18, 19, 20, 21, 22, 23, 24, 25. 2. Answered in No. 1. 3. See Public Accounts, 1930, page M 5; 1931, page M 13; 1932, page M 14; 1933, page M 16. 4. 1930, \$880,032.42; 1931, \$6,117,030.27; 1932, \$5,870,270.53; 1933, \$5,648,008.18.

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Mr. Blakelock asked the following Question (No. 36):—

1. How many heads of families have been placed on homestead locations in Northern Ontario under the auspices of "The Relief Land Settlement Scheme" in co-operation with the Dominion Government and the various municipalities of Ontario. 2. How many heads of families located upon homesteads under the above scheme are at present residing upon their homesteads and fulfilling the settlement duties required of them. 3. How many acres have been located under this scheme. 4. How many acres have been cancelled, or abandoned by the settlers located under this scheme. 5. What is the total amount expended on account of this scheme as of October 31st, 1933. 6. Of the above total expenditure what amount has been met by: (a) The Dominion Government; (b) The Province of Ontario; (c) The Municipalities. 7. What is the value of all buildings and other permanent improvements, other than cleared land, made upon lands located by settlers under "The Relief Land Settlement Scheme." 8. How many cords of pulpwood have been cut from lands located under the provisions of the

above scheme. 9. How many acres of the land located by the beneficiaries of "The Relief Land Settlement Scheme" were cleared prior to the time it was entered upon by the present occupants. 10. What was the value of all buildings and other permanent improvements, other than cleared land, on lands located upon by relief settlers at the time such settlers entered upon them. 11. What amount has been expended during the fiscal years ending October 31st, 1932, and October 31st, 1933, on direct and indirect relief in behalf of persons other than beneficiaries of "The Relief Land Settlement Scheme" in townships or districts where homesteads have been located under the scheme.

The Honourable the Minister of Lands and Forests replied as follows:—

1. 356. 2. 315. 3. 27,665.75 acres. 4. 2,986.00 acres. 5. \$153,919.37. 6. (a) \$11,861.55 (further payments have been made since October 31st, 1933); (b) \$87,166.77; (c) \$54,891.05. 7. \$76,051.20 (not including the time and labour of settlers and Government officials who assisted). 8. 661 cords. 9. 423.91 acres. 10. \$4,722.00. 11. Indirect Relief: Year ending October 31st, 1932, Cochrane, Temiskaming, Sudbury and Thunder Bay Districts, \$3,876,661.21. Year ending October 31st, 1933, Cochrane, Temiskaming, Sudbury and Thunder Bay Districts, \$1,283,010.11. Direct Relief: Year ending October 31st, 1932, Cochrane, Temiskaming, Sudbury and Thunder Bay Districts, \$124,962.84. Year ending October 31st, 1933, Cochrane, Temiskaming, Sudbury and Thunder Bay Districts, \$1,455,538.77.

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Mr. Ross asked the following Question (No. 41):—

1. How many soldiers were sent to Stratford during the recent strike. 2. How long were they there. 3. What was the cost to the Province. 4. How many army tanks were sent to Stratford. 5. Who ordered the tanks there. 6. What was the cost to the Province for the tanks.

The Honourable the Prime Minister replied as follows:—

1. and 2. Headquarters and "C" Company, The R.C.R., left London for Stratford on September 27th, strength 70 all ranks, and returned to London on 6th November. "B" Company, The R.C.R., left Toronto for Stratford on 27th September, strength 61 all ranks, and returned to Toronto on 3rd November, 1933. Carden Loyds returned to London, October 26th, strength 1 officer, 12 other ranks. This strength varied slightly from day to day owing to men going to hospital, returning to the unit from courses, etc. Maximum strength at any one time, 10 officers and 151 other ranks. 3. Cost to the Province is not yet known, as the account from the Department of National Defence has not been received. 4. No tanks were sent to Stratford. Four Carden Loyd machine gun carriers automatically accompanied Headquarters and "C" Company to Stratford. These are part of the equipment, they being the modern method of transporting the machine guns belonging to this unit. 5. The Mayor of Stratford, the County Judge, and the Police Magistrate, constituting the Police Commission, requested the Attorney-General in writing to call in the aid of the military to prevent disorders arising from the strikes in Stratford. The mechanised machine-gun carriers known as Carden Loyds were sent on the instructions of the responsible military authorities. Once the military are requested to aid the

civil power the responsibility of the force used rests entirely with the military.  
6. Partly answered by 3. So far as is known the sending of the Carden Loyd machine-gun carriers involved no additional cost.

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Mr. Murray asked the following Question (No. 53):—

1. Did Edward Hearn of Grimsby, Ontario, locate as a settler on Lot 24, Concession 19, Township of Cameron, on or about August 12th, 1933. 2. Was the above location, made by Edward Hearn, made with the knowledge and consent of the Government's representative in charge of homestead location in that district. 3. Did Edward Hearn make any improvements to the property or perform any settlement duties. 4. Was the above parcel of land held under timber license from the Crown at the time homestead location was made by Edward Hearn. 5. Did the license to cut timber on the above lot contain the usual clauses whereby there is reserved to the Crown "the right to sell, lease, locate or otherwise dispose of any lands within the area allocated for settlement." 6. Upon what date was Edward Hearn notified to vacate the lot upon which he had been permitted to settle by the Crown Lands Agent for the district.

The Honourable the Minister of Lands and Forests replied as follows:—

1. He applied for the lot on August 12th, 1933. 2. No location was authorized, his application having been submitted to the Department for consideration, and information to this effect was given to him. 3. Went into possession; cleared piece of land 30 feet square; erected walls of camp, 10 ft. x 12 ft.; 4 ft. 4 in. high, no windows, door, roof or floor; underbrushed 75-yard trail, about half day's work. 4. Lot was under timber license when Hearn applied, and is still under license. 5. Yes. 6. Informed October 12th, 1933, that, due to timber licensees proposing to operate, application would not be entertained. Department negotiating with timber licensees with view to getting their release, so that Hearn application may be further dealt with in Spring. Hearn fully advised accordingly.

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Mr. Murray asked the following Question (No. 54):—

1. During what period or periods of the past twelve months has Mr. Newton-White been employed by the Government in connection with land settlement work in Northern Ontario. 2. Did Mr. Newton-White during one of the periods while engaged in the service of the Government or in the time that intervened between two of those periods during which he was thus employed prepare articles for publication in any of the newspapers of Northern Ontario dealing with matters relating to land settlement. 3. Did the Government continue to employ Mr. Newton-White after the Minister of Lands and Forests had publicly admitted that he (Mr. Newton-White) had "supplied the papers with information in reference to this new work." 4. Is Mr. Newton-White at present employed by the Government.

The Honourable the Minister of Lands and Forests replied as follows:—



1. He was employed from May 12th, 1933, to June 12th, 1933. 2. The Department is informed that he did furnish certain articles to newspapers. 3. No. 4. No.

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Mr. Bragg asked the following Question (No. 56):—

1. Has the Hydro-Electric Commission any property insured with Maguire & Connon. 2. If so, what is the amount. 3. Is the Mr. Maguire of this firm Mr. C. Alfred Maguire of the Hydro-Electric Commission. 4. Is Mr. C. Alfred Maguire who is a member of the Hydro-Electric Commission, the Canadian representative of the Royal Insurance Company, Liverpool, England. 5. Has the Hydro-Electric Commission of Ontario any property insured with the Royal Insurance Company of Liverpool, England. 6. If so, what is the amount.

The Honourable Mr. Cooke replied as follows:—

1. No. 2. Answered by No. 1. 3. Yes. 4. No. Mr. J. H. Labelle, General Manager, is Canadian representative, Head Office, Montreal. 5. Yes. Through agents throughout the Province. 6. \$946,893.33. Premiums, \$2,691.70 to twenty agents in Ontario.

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Mr. Ross asked the following Question (No. 61):—

1. How many (a) Loans; (b) Grants have been made by the Government during the years 1931, 1932 and 1933 to cold storage warehouses. 2. What were the names and addresses of companies to which loans or grants have been made. 3. What were the amounts advanced and were they loans or grants in each instance.

The Honourable the Minister of Agriculture replied as follows:—

1. (a) Eight. (b) Two. 2 and 3. Grants: Norfolk Fruit Growers' Association, Simcoe, \$35,000; Prince Edward County Fruit Growers, Picton, \$30,000. Loans: Norfolk Fruit Growers' Association, Simcoe, \$87,000 (addition to the Simcoe Cold Storage) (since repaid, Principal, \$19,000.00; Interest, \$10,375.40); Trenton Cold Storage, Limited, Trenton, \$50,000; Growers' Cold Storage & Ice Company, Limited, Grimsby, \$25,000; Georgian Bay Fruit Growers, Limited, Thornbury, \$25,000 (since repaid, Principal, \$1,000.00; Interest, \$1,564.85); Middlesex Growers' Co-operative, Limited, Strathroy, \$26,000 (since repaid, Principal, \$4,197.19; Interest, \$2,505.45); Thedford Cold Storage, Limited, Thedford, \$30,000; Nottawasaga Cold Storage, Limited, Collingwood, \$7,000; Nelson Fruit and Vegetable Growers' Co-operative Limited, Burlington, \$15,000.

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Mr. Blakelock asked the following Question (No. 76):—

1. How many first-year apprentices were enrolled under The Apprenticeship Act during the year 1933. 2. How many first-year apprentices were enrolled for

the 1934 classes. 3. What was the total cost during 1933 to administer The Apprenticeship Act.

The Honourable the Minister of Health and Labour replied as follows:—

1. Registered twenty-seven new apprentices of whom nineteen were in the first year. 2. No special day classes were held this winter. First and second-year apprentices attended evening classes along with senior apprentices, where available. 3. Total administrative cost, \$26,643.30, including salaries of four members of staff on loan to other branches and departments.

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The following Bills were severally read the second time:—

Bill (No. 8), An Act respecting the Town of Ojibway.

Referred to a Committee of the Whole House on Monday next.

Bill (No. 18), An Act to incorporate the Kenora Young Men's Christian Association.

Referred to a Committee of the Whole House on Monday next.

Bill (No. 19), An Act to incorporate the Village of Port Sydney.

Referred to a Committee of the Whole House on Monday next.

Bill (No. 21), An Act respecting the Township of North York.

Referred to a Committee of the Whole House on Monday next.

Bill (No. 25), An Act respecting the Village of St. Clair Beach.

Referred to a Committee of the Whole House on Monday next.

Bill (No. 32), An Act respecting the Township of McIrvine.

Referred to a Committee of the Whole House on Monday next.

Bill (No. 34), An Act respecting the City of Port Arthur.

Referred to a Committee of the Whole House on Monday next.

The Order of the Day for the second reading of Bill (No. 81), having been read,

Mr. Kennedy (Peel), moved,

That the Bill be now read the second time.

And a Debate having arisen, after some time it was, on the motion of Mr. Nixon,

*Ordered*, That the Debate be adjourned.

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The Provincial Secretary presented to the House, by command of The Honourable the Lieutenant-Governor:—

Report of The Provincial Auditor, Ontario. (*Sessional Papers No. 27.*)

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The House then adjourned at 4.00 p.m.

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MONDAY, MARCH 5TH, 1934

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PRAYERS.

3 O'CLOCK P.M.

The following Bills were severally introduced and read the first time:—

Bill (No. 42), intituled "The School Law Amendment Act, 1934." *Mr. Henry.*

*Ordered*, That the Bill be read the second time To-morrow.

Bill (No. 100), intituled "An Act to amend The Municipal Act." *Mr. Baird.*

*Ordered*, That the Bill be read a second time To-morrow.

Bill (No. 101), intituled "An Act to amend The Factory, Shop and Office Building Act." *Mr. Oakley.*

*Ordered*, That the Bill be read a second time To-morrow.

Bill (No. 102), intituled "An Act to amend The Municipal Act." *Mr. Oakley.*

*Ordered*, That the Bill be read a second time To-morrow.

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On motion of Mr. Baxter, seconded by Mr. Newman,

*Ordered*, That there be laid before this House a Return showing: 1. What orders for the destruction or removal of buildings have been made by the Fire

Marshal of Ontario during the years 1930, 1931, 1932 and 1933. 2. Who were the persons, firms or companies affected by such orders. 3. Were all the Fire Marshal's orders carried out. If not, why were such orders stayed. 4. Who were the Ministers, solicitors and others who made representations requesting the suspension of such orders.

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Mr. Robertson asked the following Question (No. 44):—

1. What salaries and travelling expenses were allowed each member of the Workmen's Compensation Board in 1930, 1931, 1932, 1933. 2. What qualifications professionally does each member of the Board possess. 3. How many members of the Board were mechanics or factory workers. 4. How many members of the Board are ex-service men.

The Honourable the Prime Minister replied as follows:—

1. Salaries:	Chairman	Vice-Chairman	Commissioner
1930.....	\$14,000 00	\$9,000 00	\$8,000 00
1931.....	14,000 00	9,000 00	8,000 00
1932.....	12,326 20	8,326 20	7,467 90
1933.....	11,166 66	7,687 54	6,962 51

Travelling Expenses—attending annual meetings of Associated Boards:

1930.....	\$233 95	\$114 30	\$22 35
1931.....	47 15	136 05	139 87
1932.....	120 35	.....	77 63
1933.....	.....	223 33	.....

2. The Chairman is a King's Counsel and practised as Barrister-at-Law and Solicitor for thirty years. The Vice-Chairman was special advisor to the Trades and Labour Council of Hamilton for many years, also Vice-President of the Trades and Labour Congress of Canada for several years. The Commissioner, Mr. Kingston, is also a Barrister-at-Law, and was engaged in the practice of law, settlement of insurance claims and trust company work for a period of twenty-two years. 3. One. 4. None.

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Mr. Newman asked the following Question (No. 51):—

1. How many gallons of wine were sold in 1932-33. 2. What was the total value of wine sold in 1932-33.

The Honourable the Prime Minister replied as follows:—

1. Imported wine sold from Liquor Control Board of Ontario Stores, 65,775 gallons. Native wine sold from Liquor Control Board of Ontario Stores, 1,064,349 gallons. Native wine sold direct from Wineries, 442,754 gallons. Total, 1,572,878 gallons. 2. Imported wine sold from Liquor Control Board of Ontario Stores,



\$555,503.40. Native wine sold from Liquor Control Board of Ontario Stores, \$2,207,466.75. Native wine sold direct from Wineries, \$909,199.83. Total, \$3,672,169.98.

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Mr. Hipel asked the following Question (No. 65):—

1. What was the Province's share of all moneys spent for Unemployment Relief Works, including all direct relief for each of the fiscal years ending October 31st, 1930, 1931, 1932, 1933. 2. What amount was paid out of ordinary revenue for each of the fiscal years ending October 31st, 1930, 1931, 1932, 1933. 3. What amount was borrowed and charged to Capital Account for each of the fiscal years ending October 31st, 1930, 1931, 1932, 1933. 4. For what term of years was the money borrowed for each of the above fiscal years. 5. What amount of the capital charges have been actually paid. 6. Have any of the capital charges been renewed or refunded in any way. 7. If so, what amounts.

The Honourable the Prime Minister replied as follows:—

1. 1930, \$24,218.91; 1931, \$4,948,275.31; 1932, \$13,724,056.78; 1933, \$13,573,383.94. 2. 1930, \$24,218.91; 1931, \$790,173.58; 1932, \$808,470.68; 1933, \$172,674.45. 3. 1930, Nil; 1931, \$4,158,101.73; 1932, \$12,915,586.10; 1933, \$13,400,709.49. 4, 5, 6 and 7. As the proceeds of the sale of Province of Ontario bonds are paid into the Consolidated Revenue Fund, and are not earmarked for any specific purpose, the information asked in these questions is not available.

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Mr. Blakelock asked the following Question (No. 78):—

1. How many men, married, are working in Government relief camps at the present time. 2. How many single men are working in Government relief camps at the present time. 3. How many men single or married were working in Government relief camps on February 1st, 1933. 4. What was the total cost during 1933 to operate the Government relief camps: (a) Wages; (b) Equipment. 5. How many months during 1933 were the relief camps working. 6. How many men (a) married, (b) single, quit work and returned home while the camps were working.

The Honourable the Minister of Lands and Forests replied as follows:—

1. The unemployment relief board camps are primarily for single men and instructions were given that the quotas taken from municipalities were to be confined to single men, but a negligible number of married men may have crept in, but there is no data existing as to this. 2. Answered by No. 1. 3. In the week ending the 4th February, 1933, 10,191. 4. Expenditure for the year ending 31st October, 1933 (fiscal year 1933): (a) Wages, \$2,727,408.72; (b) Equipment, material, supplies, etc., \$798,267.80. Total, \$3,525,676.52. 5. The who: the twelve months. 6. This information is not available.

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The Order of the Day for resuming the Adjourned Debate on the motion<sup>at</sup> for the second reading of Bill (No. 81), The Milk Control Act, having been re<sup>re</sup>

And the Debate having been continued, after some time,

Mr. Kennedy (Peel) moved,

That the Bill be now read the second time.

And the Motion, having been put, was carried, and the Bill read a second time accordingly.

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The following Bill was read the second time:—

Bill (No. 91), The Highway Traffic Act, 1934.

Referred to a Committee of the Whole House To-morrow.

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The House resolved itself into a Committee, severally to consider the following Bills:—

Bill (No. 8), An Act respecting the Town of Ojibway.

Bill (No. 18), An Act to incorporate the Kenora Young Men's Christian Association.

Bill (No. 19), An Act to incorporate the Village of Port Sydney.

Bill (No. 21), An Act respecting the Township of North York.

Bill (No. 25), An Act respecting the Village of St. Clair Beach.

Bill (No. 32), An Act respecting the Township of McIrvine.

Bill (No. 34), An Act respecting the City of Port Arthur.

Mr. Speaker resumed the Chair; and Mr. Black reported, That the Committee had directed him to report the several Bills without amendments and one with amendment.

*Ordered*, That the Bills reported, be severally read the third time To-morrow.

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The following Bills were read the third time and were passed:—

Bill (No. 5), An Act respecting the City of Brantford.

gal Bill (No. 11), An Act respecting the City of Toronto.

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gall Bill (No. 14), An Act respecting the City of Hamilton.

Bill (No. 22), An Act respecting the Town of Collingwood.

Bill (No. 30), An Act respecting the City of Kingston.

Bill (No. 33), An Act respecting the Brantford Young Men's Christian Association.

Bill (No. 29), An Act respecting the City of London.

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The House then adjourned at 5.00 p.m.

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## TUESDAY, MARCH 6TH, 1934

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PRAYERS.

3 O'CLOCK P.M.

Mr. Price from the Standing Committee on Private Bills presented their Fifth Report, which was read as follows and adopted:—

Your Committee beg to report the following Bills without amendment:—

Bill (No. 13), An Act respecting the Township of Teck.

Bill (No. 38), An Act respecting the City of Chatham.

Your Committee beg to report the following Bills with certain amendments:—

Bill (No. 23), An Act respecting the Township of York.

Bill (No. 26), An Act respecting the Village of Forest Hill.

With respect to above-mentioned Bill (No. 26), your Committee is of opinion that it is unnecessary that the Schedules thereto be printed in the Statutes and therefore recommend that the same be struck out.

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The following Bills were severally introduced and read the first time:—

Bill (No. 103), intituled "An Act to amend The Municipal Act." *Mr. McBrien.*

*Ordered,* That the Bill be read a second time To-morrow.

Bill (No. 104), intituled "An Act to amend The Assessment Act." *Mr. Spence.*

*Ordered,* That the Bill be read a second time To-morrow.

Bill (No. 105), intituled "An Act to amend The Assessment Act." *Mr. Munro.*

*Ordered,* That the Bill be read a second time To-morrow.

Bill (No. 106), intituled "An Act to amend The Assessment Act." *Mr. Kenning.*

*Ordered,* That the Bill be read a second time To-morrow.

Bill (No. 107), intituled "An Act to amend The Municipal Act." *Mr. Elliott.*

*Ordered,* That the Bill be read a second time To-morrow.

Bill (No. 108), intituled "An Act to amend The Assessment Act." *Mr. Ross.*

*Ordered,* That the Bill be read a second time To-morrow.

Bill (No. 109), intituled "An Act to amend The Municipal Act." *Mr. Case.*

*Ordered,* That the Bill be read a second time To-morrow.

Bill (No. 110), intituled "An Act to amend The Public Parks Act." *Mr. Shaver.*

*Ordered,* That the Bill be read a second time Tomorrow.

Bill (No. 111), intituled "An Act to amend The Assessment Act." *Mr. McBrien.*

*Ordered,* That the Bill be read a second time To-morrow.

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The Order of the Day for resuming the Adjourned Debate on the Motion that Mr. Speaker do now leave the Chair, and that the House resolve itself into the Committee of Supply, having been read,

The Debate was resumed,

And after some time, Mr. Simpson moved, seconded by Mr. Hipel,

That all the words of the Motion after the word "That" be struck out and the following substituted therefor:—



"This House condemns the Government for its failure to reduce taxation and deplores the enormous addition each year to the Public Debt."

The Debate was resumed.

And the House having continued to sit until Twelve of the Clock midnight,

Wednesday, March 7th, 1934,

The Debate continued.

And after some time it was on the motion of Mr. Vaughan,

*Ordered*, That the Debate be adjourned until Thursday next.

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The Provincial Secretary presented to the House, by command of The Honourable the Lieutenant-Governor:—

Return to an Order of the House, That there be laid before the House a Return showing: 1. What orders for the destruction or removal of buildings have been made by the Fire Marshal of Ontario during the years 1930, 1931, 1932 and 1933. 2. Who were the persons, firms or companies affected by such orders. 3. Were all the Fire Marshal's orders carried out. If not, why were such orders stayed. 4. Who were the Ministers, solicitors and others who made representations requesting the suspension of such orders. (*Sessional Papers No. 45.*)

Also, Return to an Order of the House, That there be laid before the House a Return showing: 1. What salaries have been paid members of the Ontario Research Foundation, and what amount annually does each member of the staff receive in (a) remuneration; (b) travelling expenses and allowances; (c) per diem if not on salary. (*Sessional Papers No. 44.*)

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The House then adjourned at 12.17 a.m.

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### WEDNESDAY, MARCH 7TH, 1934

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PRAYERS.

3 O'CLOCK P.M.

The following Bills were severally introduced and read the first time:—

Bill (No. 112), intituled "An Act to amend The Local Improvement Act."  
*Mr. Lyons.*

*Ordered*, That the Bill be read a second time To-morrow.

Bill (No. 43), intituled "The Public Commercial Vehicle Act, 1934." *Mr. Macaulay.*

*Ordered,* That the Bill be read a second time To-morrow.

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Mr. Ross asked the following Question (No. 71):—

1. What was the total amount of gasoline tax revenue received by the Province during the last fiscal year. 2. What amount was rebated to users of gasoline for other than highway purposes. 3. What amount was paid or allowed in commissions for collecting the tax. 4. On what basis or rate was this computed.

The Honourable the Prime Minister replied as follows:—

1. \$13,458,105.67. 2. \$829,048.79. 3. \$223,519.91. 4. 1.66 per cent.

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Mr. Blakelock asked the following Question (No. 79):—

1. How many citizens in Ontario were unemployed on January 1st, 1934.  
2. How many citizens were unemployed on January 1st, 1933.

The Honourable the Prime Minister replied as follows:—

No figures are available showing the total number of persons unemployed in Ontario on any particular date.

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Mr. Simpson asked the following Question (No. 80):—

1. Did the Department of Public Works or Colonization Roads Branch construct a bridge over the Claire River, in the Township of Sheffield, any time during the years of 1922 to 1924. 2. Did they construct any other bridge in the Township of Sheffield. 3. (a) Was there an agreement between the Counties of Lennox and Addington and the Department for the county to pay part of the cost. (b) What share were the Counties to pay. (c) What did they pay. (d) To what account was this money credited.

The Honourable the Minister of Public Works and Highways replied as follows:—

1. Yes. Department of Public Works built the bridge. Commenced May, 1923. 2. Yes. 3. (a) No. (b) The Township of Sheffield agreed to pay \$2,000.00 towards the cost of the bridge. (c) The Township of Sheffield paid \$2,000.00. (d) Flynn Bridge, Addington.

Mr. Hipel asked the following Question (No. 83):—

On what date were Messrs. A. J. L. Haskell, H. J. Coon and F. W. Kerr first consulted or engaged in an official advisory capacity *re* the recent loan of \$40,000,000.00.

The Honourable the Prime Minister replied as follows:—

On November 9th, 1933, Messrs. Haskell, Coon and Kerr, at the request of the late Provincial Treasurer, conferred with Treasury officials, the Treasurer and the Prime Minister, as to the advisability of Ontario floating a loan. The matter continued to receive attention at various times during November and December, the bond market being carefully surveyed with a view to making the bond issue when conditions were favourable to the reception of a loan of this size, final plans being completed and instructions to proceed being given on January 13th, 1934.

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Mr. McQuibban asked the following Question (No. 88):—

1. What is the amount of interest paid to the Government by the T. & N.O. in 1930, 1931, 1932, 1933. 2. What is the amount actually due in each year.

The Honourable the Prime Minister replied as follows:—

1. The T. & N.O. Railway is a Provincial enterprise and is not operated for the purpose of earning interest on the investment, but to give service to the community and open up the country it reaches. The payments made to the Government by the Railway during the years mentioned out of surplus earnings were as follows: in 1930, \$850,000; in 1931, \$850,000; in 1932, \$400,000; in 1933, \$50,000. 2. The interest cost to the Province of the capital advances made to the Railway calculated at 4 per cent. amounts to \$1,208,317.40 per annum.

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The following Bills were severally read the second time:—

Bill (No. 84), An Act to amend The Division Courts Act.

Referred to the Committee on Legal Bills.

Bill (No. 92), An Act to amend The Municipal Act.

Referred to the Committee on Municipal Laws.

Bill (No. 94), An Act to amend The Municipal Act.

Referred to the Committee on Municipal Laws.

Bill (No. 97), An Act to amend The Municipal Act.

Referred to the Committee on Municipal Laws.

Bill (No. 98), An Act to amend The Public Libraries Act.

Referred to the Committee on Municipal Laws.

Bill (No. 99), An Act to amend The Municipal Act.

Referred to the Committee on Municipal Laws.

Bill (No. 23), An Act respecting the Township of York.

Referred to a Committee of the Whole House To-morrow.

Bill (No. 26), An Act respecting the Village of Forest Hill.

Referred to a Committee of the Whole House To-morrow.

Bill (No. 13), An Act respecting the Township of Teck.

Referred to a Committee of the Whole House To-morrow.

Bill (No. 38), An Act respecting the City of Chatham.

Referred to a Committee of the Whole House To-morrow.

Bill (No. 95), An Act to amend The Dentistry Act.

Referred to a Committee of the Whole House To-morrow.

Bill (No. 42), The School Law Amendment Act, 1934.

Referred to a Committee of the Whole House To-morrow.

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The Order of the Day for the second reading of Bill (No. 102), An Act to amend The Municipal Act, having been read,

Mr. Oakley moved,

That the Bill be now read the second time.

And the Motion, having been put, was lost on a Division.

And so it was declared in the Negative.

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The Order of the Day for the second reading of Bill (No. 85), An Act to amend The Public Health Act, having been read,

*Ordered*, That the Order be discharged, and that the Bill be withdrawn.



The Order of the Day for the second reading of Bill (No. 86), An Act to amend The Drugless Practitioners Act, having been read,

*Ordered*, That the Order be discharged, and that the Bill be withdrawn.

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The Order of the Day for the second reading of Bill (No. 87), An Act to amend The Medical Act, having been read,

*Ordered*, That the Order be discharged, and that the Bill be withdrawn.

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The Order of the Day for the second reading of Bill (No. 89), An Act to amend The Vital Statistics Act, having been read,

*Ordered*, That the Order be discharged, and that the Bill be withdrawn.

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The following Bills were read the third time and were passed:—

Bill (No. 69), An Act to amend The Community Halls Act.

Bill (No. 70), An Act to amend The Dog Tax and Sheep Protection Act.

Bill (No. 8), An Act respecting the Town of Ojibway.

Bill (No. 18), An Act to incorporate the Kenora Young Men's Christian Association.

Bill (No. 19), An Act to incorporate the Village of Port Sydney.

Bill (No. 21), An Act respecting the Township of North York.

Bill (No. 25), An Act respecting the Village of St. Clair Beach.

Bill (No. 32), An Act respecting the Township of McIrvine.

Bill (No. 34), An Act respecting the City of Port Arthur.

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The House then adjourned at 4.35 p.m.

## THURSDAY, MARCH 8TH, 1934

PRAYERS.

3 O'CLOCK P.M.

The Order of the Day for resuming the Adjourned Debate on the Amendment to the Motion, That Mr. Speaker do now leave the Chair and that the House resolve itself into the Committee of Supply, having been read,

The Debate was resumed, and after some time it was on the motion of Mr. Slack,

*Ordered*, That the Debate be further adjourned until Tuesday next.

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The House then adjourned at 7.00 p.m.

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## FRIDAY, MARCH 9TH, 1934

PRAYERS.

3 O'CLOCK P.M.

The following Bills were severally introduced and read the first time:—

Bill (No. 113), intituled "An Act to amend The Municipal Act." (Under suspension of the Rules.) *Mr. Morrison.*

*Ordered*, That the Bill be read the second time on Monday next.

Bill (No. 44), intituled "An Act to amend The Trustee Act." *Mr. Price* (Parkdale).

*Ordered*, That the Bill be read a second time on Monday next.

Bill (No. 45), intituled "An Act to amend The Pawnbrokers' Act." *Mr. Price* (Parkdale).

*Ordered*, That the Bill be read a second time on Monday next.

Bill (No. 46), intituled "An Act to amend The Conveyancing and Law of Property Act." *Mr. Price* (Parkdale).

*Ordered*, That the Bill be read a second time on Monday next.

Bill (No. 114), intituled "An Act to amend The Interpretation Act." *Mr. Davis.*

*Ordered*, That the Bill be read a second time on Monday next.

On Motion of Mr. Hipel, seconded by Mr. McKay,

*Ordered*, That there be laid before the House a Return showing: 1. What is the total insurable value of all Government Buildings outside the City of Toronto. 2. (a) What is the total amount of fire insurance carried by the Government on these buildings. (b) Does the Government carry fire insurance on all these buildings.

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Mr. Hutchinson asked the following Question (No. 38):—

1. What quantities of pulpwood have been cut from each of the following pulpwood concessions for each of the years 1926 to 1933, inclusive: (a) The 3,066 square miles granted to Spanish River Pulp and Paper Mills, Ltd., by agreement, dated May 15th, 1923. (b) The 2,466 square miles granted to Abitibi Power and Paper Company, Ltd., by agreement, dated July 12th, 1923. (c) The 1,049 square miles granted to Continental Wood Products Company, Ltd., by agreement, dated July 10th, 1923. (d) The 1,240 square miles granted to Provincial Paper Mills, Ltd., by agreement, dated February 27th, 1926. (e) The 2,827 square miles granted to Spruce Falls Company, Ltd., by agreement, dated January 5th, 1926. (f) The 1,822 square miles granted to Fort William Paper Company, Ltd., by agreement, dated September 21st, 1926. (g) The 1,555 square miles granted to Thunder Bay Paper Company, Ltd., by agreement, dated January 30th, 1926. (h) The 1,568 square miles granted to Nipigon Corporation, Ltd., by agreement, dated January 30th, 1926. (i) The 351 square miles granted to C. Howard Smith by agreement dated March 8th, 1926. (j) The 1,975 square miles granted to North West Ontario Development Company, Ltd., by agreement, dated July 29th, 1927. (k) The 965 square miles granted to Howard Smith Paper Mills, Ltd., by agreement, dated November 26th, 1929. 2. In cases where the above concessions have passed out of the control of the original concessionaire who are the persons or corporations now controlling them.

The Honourable the Minister of Lands and Forests replied as follows:—

1. (a) 1926-27, 15,298 cords. (b) 1929-30, 59,376 cords; 1930-31, 57,544 cords. (c) None. (d) None. (e) 1929-30, 349 cords; 1932-33, 2,817 cords. (f) None. (g) 1929-30, 17,494 cords. (h) 1926-27, 6,865 cords; 1928-29, 310 cords; 1929-30, 211 cords; 1930-31, 9,733 cords; 1931-32, 11,205 cords; 1932-33, 10,437 cords. (i) None. (j) None. (k) 1930-31, 2,157 cords. (a) As in Question 1, Receivers of Abitibi Power and Paper Company, Ltd. (b) As in Question 1, Receivers of Abitibi Power and Paper Company, Ltd. (f) As in Question 1, Receivers of Abitibi Power and Paper Company, Ltd. (i) As in Question 1, Canadian Cellulose Company, Ltd.

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Mr. Robertson asked the following Question (No. 47):—

1. Who is the Public Trustee for the Province of Ontario and who are the staff of his office and what salaries do they receive. 2. What fees were received through the Trustee's office during years 1931, 1932 and 1933. 3. Upon whose recommendation does the Public Trustee retain solicitors to represent him,

outside of Toronto. 4. What firms or solicitors have represented the Public Trustee in Ontario county towns during 1932 and 1933.

The Honourable the Attorney-General replied as follows:—

1. A. N. Middleton, Public Trustee, \$5,700; H. S. Jones, Trust Officer, \$3,450; R. G. Mainer, Accountant, Gr. 1, \$3,300; G. F. Adams, Asst. Tr. Officer, \$1,800; E. T. Godwin, Asst. Tr. Officer, \$1,600; R. McCrea, Inv. of Estates, \$1,500; I. N. Draper, Inv. of Estates, \$2,200; P. Maginnis, Inv. of Estates, \$1,900; W. G. Williams, Inv. of Estates, \$1,800; P. M. Puley, Principal Clerk, \$2,300; J. S. Jordan, Senior Clerk, \$1,900; C. G. Hindle, Clerk, Gr. 1, \$1,600; M. G. Butler, Clerk, Gr. 2, \$1,200; E. A. Gelinas, Clerk, \$975; D. Koznets, Clerk, \$750; H. Wixon, Sr. Clerk Sten., \$1,500; M. E. Thurgarland, Sr. Clerk Sten., \$1,500; M. Carr, Sr. Clerk Sten., \$1,500; M. A. Moore, Clerk Sten., \$1,200; E. M. Dawson, Clerk Sten., \$1,050; M. R. Williamson, Clerk, \$975; J. R. Thomas, Clerk, \$825; D. Wright, Filing Clerk, \$1,050; E. Simpson, Filing Clerk, \$975; S. Cook, Office Boy, \$525. Temporary Staff: H. F. White, Clerk, \$750; H. S. Clerk, Asst. Trust Officer, \$1,700; B. M. Hitchcock, Clerk Sten., \$825; J. S. Lundy, Clerk, Gr. 3, \$750; A. I. Brimstin, Clerk Sten., \$825. Advisory Committee: W. C. McBrien, \$1,500; G. R. Sweeny, \$1,500; Baptist Johnston, \$1,500.

2. 1931, \$26,384.54; 1932, \$31,393.14; 1933, \$35,768.72. 3. Upon the recommendation of the Attorney-General's Department, except in matters reported by solicitors, when such solicitors are retained. 4. The following are the agents for the Public Trustee in county towns: Barrie, Boys & Boys, D. F. McLaren; Belleville, Ponton & Ponton; Porter, Payne & Arnott. Bracebridge, R. M. Thomas, Russell M. Best. Brampton, A. G. Davis, K.C.; Gordon Jackson, Cooksville. Brantford, Henderson & Boddy; Harley & Sweet. Brockville, Driver & McLaren; Stewart & Stewart. Cayuga, Colter & Colter. Chatham, Wilson, Pike & Stewart; Kerr, McNevin & Kerr. Cobourg, F. C. Richardson; F. D. Boggs, K.C. Cochrane, J. M. Greer. Cornwall, J. G. Harkness, K.C.; G. I. Gogo, K.C. Fort Frances, N. L. Croome; C. R. Fitch. Goderich, F. R. Darrow; Hays & Hays. Gore Bay, W. F. McRae, K.C.; J. H. Craig. Guelph, Dunbar & Dunbar; Howitt & Howitt. Haileybury, F. L. Smiley, K.C.; Hon. W. A. Gordon. Hamilton, Hazell & Gay; Wilfrid R. Hobson (Lees, Hobson & Co.). Kenora, Machin & Donley. Kingston, W. Mundell; Rigney & Hickey. Kitchener, Sims, McIntosh, Schofield & Sims; E. B. Dowdall. Lindsay, Frost & Frost; McLaughlin, Fulton, Stinson & Anderson. London, Winnett, Morehead & Co.; R. W. Lewis. Milton, G. E. Elliott; W. I. Dick. Napanee, J. M. Simpson; Herrington, Warner & Grange. North Bay, McCurry & Reynolds; W. F. MacPhie. Orangeville, H. B. Church; N. N. Wardlaw. Oshawa, Chas. G. McGibbon; Alex. Hall. Ottawa, O'Connor & McClenaghan; S. R. Broadfoot; Larmonth, Baker & Gibson. Owen Sound, C. C. Middlebro; Middlebro & Scott. Parry Sound, Pirie & Stone; Powell & Co. Pembroke, H. B. Johnson, K.C.; Williams & Williams. Perth, T. A. Rogers; Stewart, Hope & O'Donnell. Peterborough, J. R. McCorkery; J. A. O'Brien. Picton, Young & Nourse; Walmsley, Lane & Co. Port Arthur, W. F. Langworthy, K.C.; J. Reeve. St. Catharines, Ingersoll & Pepler; Peterson & Forster. St. Thomas, H. C. Cameron; Leitch & McClurg. Sarnia, LeSueur, LeSueur & Co; Logan & Logan. Sault Ste. Marie, McFadden & McMillan; MacInnes & Brien. Simcoe, Mackey & Innes; F. M. Reid. Stratford, E. G. Thompson; McPherson & Makins. Sudbury, G. M. Miller. Walkerton, Robertson & Robertson; O. E. Klein. Welland, Rose & Tyrrell. It is possible that in the case of estates which have been in the course of administration for a number of years, other solicitors are still acting.



Mr. Murray asked the following Question (No. 49):—

1. Who are the Crown Timber Agents and what was their remuneration each, respectively, during years 1931, 1932 and 1933. 2. During these years what dues were received or payable in the district of each agent. 3. What was the total cost of each agency. 4. How much Crown timber dues were in arrears in 1930, 1931, 1932 and 1933.

The Honourable the Minister of Lands and Forests replied as follows:—

1.—

	Salary, 1930-31	Salary, 1931-32	Salary, 1932-33
Fort Frances—J. A. Alesander.....	\$2,500 00	\$2,500 00	\$2,500 00
Timmins—C. A. Duval.....	2,497 00	2,500 00	2,083 40
J. L. Regan.....			156 00
Parry Sound—N. B. Fletcher.....	2,000 00	2,000 00	2,000 00
Sault Ste. Marie—A. H. Huckson.....	2,500 00	2,500 00	1,383 60
C. A. Duval.....			416 60
Sudbury—J. G. McCaw.....	2,500 00	2,500 00	2,500 00
North Bay—J. T. McDougall.....	2,500 00	2,500 00	2,500 00
New Liskeard—S. C. Macdonald.....	2,500 00	2,500 00	2,500 00
Port Arthur—J. H. Milway.....	2,500 00	1,936 70	
F. E. Rowe.....			867 49
Kenora—J. D. C. Smith.....	2,500 00	2,500 00	2,500 00
Peterborough—A. Stevenson.....	2,000 00	2,000 00	2,000 00
Cochrane—H. T. Vincent.....	2,188 00	2,200 00	2,200 00
Renfrew—P. J. Whelan.....	2,500 00	2,500 00	2,500 00

2.—

	1930-31	1931-32	1932-33
Fort Frances.....	\$197,334 41	\$20,667 86	\$35,518 76
Timmins.....	104,909 31	24,659 59	55,597 36
Parry Sound.....	19,304 77	4,695 55	14,373 60
Sault Ste. Marie.....	217,442 10	112,935 72	47,760 84
Sudbury.....	208,450 90	92,624 29	17,739 63
North Bay.....	533,942 66	86,972 74	11,117 00
New Liskeard.....	125,041 69	35,437 04	61,565 83
Port Arthur.....	154,076 86	144,505 99	315,321 39
Kenora.....	78,395 81	128,058 13	94,690 59
Peterborough.....	10,545 56	4,409 76	1,955 60
Cochrane.....	282,604 77	115,989 89	73,850 89
Renfrew.....	87,574 71	30,254 21	5,033 13
	<u>\$2,019,623 55</u>	<u>\$801,210 77</u>	<u>\$734,524 62</u>

3.—

	1930-31	1931-32	1932-33	Total
Fort Frances.....	\$3,764 41	\$3,660 33	\$3,863 18	\$11,287 92
Timmins.....	3,157 42	3,367 78	3,070 28	9,595 48
Parry Sound.....	2,331 90	2,368 19	2,312 31	7,012 40
Sault Ste. Marie.....	4,335 21	4,296 50	3,233 98	11,865 69
Sudbury.....	3,370 97	3,484 34	3,465 43	10,320 74
North Bay.....	3,736 20	3,566 41	3,711 00	11,013 61
New Liskeard.....	2,773 97	2,948 49	2,791 79	8,514 25
Port Arthur.....	2,911 32	2,453 46	1,894 09	7,258 87
Kenora.....	4,653 28	4,452 20	4,663 54	13,769 02
Peterborough.....	2,547 86	2,538 54	2,473 48	7,559 88
Cochrane.....	5,123 73	6,367 66	5,626 00	17,117 39
Renfrew.....	3,302 83	3,200 62	3,058 12	9,561 57
	<u>\$42,009 10</u>	<u>\$42,704 52</u>	<u>\$40,163 20</u>	<u>\$124,876 32</u>

4.—31st October, 1930, \$3,723,795.27; 31st October, 1931, \$2,928,880.32; 31st October, 1932, \$1,713,466.64; 31st October, 1933, \$1,450,388.77.

Note.—The Department had cash on deposit on October 31st, 1933, as security for outstanding obligations, \$1,946,865.22, and in addition guarantee company bonds for over \$3,000,000.00.

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Mr. Sangster asked the following Question (No. 74):—

What is being done to clear the highway and highway approaches between Lancaster and Hawkesbury.

The Honourable the Minister of Public Works and Highways replied as follows:—

Because of requests from municipalities along Highway No. 34, the Department undertook this fall to clear the road for motor traffic and did in the early part of the season succeed in getting through. Unfortunately, however, this particular section of the Province is possibly the most difficult we have to contend with so far as snow conditions are concerned. The snow has continued to pile up in this district until in some places it has reached a depth of 10 feet, which made it impossible to get our equipment through without a tremendous expense. Where it has been possible to operate economically, we have cleared the road. This applies more particularly from Alexandria south to Lancaster and Vankleek Hill north to Hawkesbury. The intervening section between Alexandria and Vankleek Hill is at the present time impassable to motor traffic. Drifts vary in depth from 1½ feet to 10 feet. In undertaking to clear this road, we have used the most modern type of equipment typical of what we have operated with success in other districts. We have spent to date \$4,189 on snow cleaning on this road and as soon as conditions moderate will renew our efforts to open the road.

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Mr. Newman asked the following Question (No. 75):—

1. What did the Department of Public Highways pay per barrel for cement used on highways for years 1930-31-32-33. 2. What quantity of cement was used during 1930-31-32-33. 3. What firms supplied cement for public highways during 1930-31-32-33. 4. What firms supplied metal culverts to the Department of Public Highways for 1930-31-32-33, and what was the price.

The Honourable the Minister of Public Works and Highways replied as follows:—

1. \$1.90 per barrel each year, F.O.B. job. 2. 1930, 725,125 barrels; 1931, 657,650 barrels; 1932, 306,290 barrels; 1933, 327,195 barrels. 3. St. Marys Cement Company, Canada Cement Company. 4. Pedlar People, Ltd.; Canada Ingot Iron Company; Canada Culverts, Ltd.; Metallic Roofing Company; Corrugated Pipe Company, Ltd. 5. See statement attached.

Size	Gauge	Price		Size	Gauge	Price	
		Carload	L.C.L.			Carload	L.C.L.
8".....	18	\$ .69	\$ .74	36".....	14	\$3.40	\$3.52
	16	.84	.90		12	4.73	4.90
10".....	18	.78	.82	42".....	10	6.04	6.47
	16	.90	.94		14	4.19	4.35
12".....	16	1.02	1.05	48".....	12	5.57	5.78
	14	1.23	1.27		10	6.84	7.10
	12	1.57	1.68		14	4.80	4.98
15".....	16	1.25	1.30	54".....	12	6.38	6.61
	14	1.43	1.48		10	7.94	8.23
	12	2.12	2.26		8	10.41	11.12
18".....	16	1.43	1.48	60".....	12	7.73	8.27
	14	1.71	1.77		10	9.20	9.85
	12	2.50	2.67		8	11.52	12.36
	10	3.06	3.27	72".....	12	8.66	9.02
21".....	16	1.71	1.77		10	10.99	11.42
	14	2.02	2.09		8	12.75	13.73
	12	2.91	3.12		12	10.22	10.65
	10	3.50	3.73		10	12.52	13.04
24".....	16	1.99	2.06		8	14.93	16.10
	14	2.36	2.44	84".....	12	11.86	12.35
	12	3.14	3.27		10	14.24	14.82
	10	4.13	4.43		8	17.02	18.35
30".....	14	2.96	3.07				
	12	4.08	4.24				
	10	5.34	5.74				

Prices are F.O.B. any railway station in Ontario. Coupling bands are free with lengths of 8 feet or more. Coupling bands on less than 8 feet shall be charged for at the price of one foot of pipe. Rolled or roddeed ends can be supplied up to and including 36-inch diameter, each rolled or roddeed end is charged for at the price of one foot of pipe of same diameter. Provincial Governments are not required to pay Sales Tax and prices shown do not include same. Terms: Net 30 days.

Mr. Robertson asked the following Question (No. 77):—

1. Who put in the lowest tender on the Norwood Subway. 2. What was the amount of this tender. 3. Who was the successful tenderer. 4. What did the Department pay for the construction of this subway. 5. If this contract was not let to the lowest tenderer, what is the reason.

The Honourable the Minister of Public Works and Highways replied as follows:—

1. By request of the Board of Railway Commissioners for Canada, contracts for King's Highway subways under railroads are handled entirely by the railway companies affected. The tenders on this contract were called by the Canadian Pacific Railway Company. Low tender on the substructure was submitted by F. Munro and low tender on the superstructure was submitted by Reid & Brown. The contract was let by this company to E. P. Muntz, Limited, and Reid &

Brown. 2. The work was divided, one contract covering the substructure, the second covering the superstructure. The substructure tender was \$19,850; the superstructure tender was \$8,415.75. 3. E. P. Muntz, Limited, and Reid & Brown. 4. \$34,331.86. 5. The work on the Norwood subway, as stated above, was handled entirely by the Canadian Pacific Railway Company. This company called for tenders on the construction of this subway in the manner mentioned in the answer to Question 1. In the case of the steel, or superstructure, the low tender was accepted. In the case of the substructure, the second tender was accepted for the following reasons given by the railroad company. 1. The low bid was considered less than the cost of the work the contractor had to perform. 2. The contractor had never built a subway. 3. It was feared he would operate so slowly that the additional cost because of detouring and inconvenience to traffic would be considerably in excess of the difference in cost between the two bids. 4. It was not considered advisable to permit him to undertake such a hazardous contract.

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Mr. Newman asked the following Question (No. 81):—

1. What amounts of pulpwood were purchased or procured from sources outside of the Province of Ontario and brought into Ontario for each of the years 1919 to 1933, inclusive, by the Abitibi Power and Paper Company, Limited, for use or consumption in its Iroquois Falls mills. 2. Has the Abitibi Power and Paper Company, Limited, fully complied with the provisions of Clause 13, Section 3, of "The Pulpwood Conservation Act, 1929," with respect to the information requested above in 1. 3. What amount of pulpwood has each of the following companies agreed to purchase from *bona fide* settlers during the season of 1933-1934 in order to comply with the clause or clauses in their agreements with the Crown which require them to "co-operate to the satisfaction of the Minister in the purchase of *bona fide* settlers' pulpwood": (a) The Abitibi Power and Paper Company, Limited, Iroquois Falls mills; (b) The Abitibi Power and Paper Company, Limited, Smooth Rock Falls mill; (c) The Spruce Falls Company, Limited, Kapuskasing mills; (d) The Abitibi Power and Paper Company, Limited, Sault Ste. Marie mills; (e) The Abitibi Power and Paper Company, Limited, Espanola mills; (f) The Great Lakes Paper Company, Limited; (g) The Provincial Paper Mills, Limited; (h) The Thunder Bay Paper Company, Limited; (i) The Fort William Paper Company, Limited; (j) The Howard Smith Paper Company, Limited.

The Honourable the Minister of Lands and Forests replied as follows:—

1. 1919, 18,808 cords; 1920, 21,367 cords; 1921, 9,234 cords; 1922, 40,110 cords; 1923, 31,555 cords; 1924, 19,879 cords; 1925, 63,960 cords; 1926, 57,174 cords; 1927, 63,111 cords; 1928, 57,410 cords; 1929, 63,630 cords; 1930, 99,796 cords; 1931, 93,414 cords; 1932, 3,182 cords; 1933, 79,303 cords. 2. Yes. 3. (a) 27,335 cords\*; (b) 76,000 cords\*; (c) 93,000 cords; (d) 7,924 cords\*; (e) Nil (mill not running); (f) 15,000 to 20,000 cords; (g) 15,000 to 20,000 cords; (h) Mill not running; company endeavouring to determine availability of fifteen to twenty thousand cords of settlers' wood. (i) Nil (mill not running); (j) 35,000 cords. Note: \*Includes small percentage purchased from jobbers.



Mr. Baxter asked the following Question (No. 90):—

1. What are the names of the property owners on Highway No. 19 between Woodstock and Tavistock who received pay since road was taken over by the Province. 2. How much did each receive. 3. How much was paid before October 31st, 1933. 4. How much is still owing.

The Honourable the Minister of Public Works and Highways replied as follows:—

1. Alfred Fallowfield, John Stanley, John Stein. 2. Alfred Fallowfield, \$75.00, lump sum; John Stanley, \$75.00, lump sum; John Stein, \$75.00, lump sum. 3. \$225.00. 4. Not determined, as the property of Ezra Stock has not, as yet, been surveyed.

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Mr. Baxter asked the following Question (No. 91):—

1. What is the total cost of drainage on Provincial Highway No. 19 between Woodstock and Tavistock. 2. Was this work let by tender. 3. If so, how many tenders were received. 4. What was the price of each tender. 5. Who was the successful tenderer. 6. Were any of these contracts sublet. 7. If so, to whom and at what price. 8. Was any of this work done as unemployment relief.

The Honourable the Minister of Public Works and Highways replied as follows:—

1. \$13,980.49. 2. This drainage was part of a contract of paving, grading and drainage. The contract was let by tender to the lowest tenderer for the whole job. No separate tender or contract for drainage. 3. On Contract No. 32-28, three tenders. On Contract No. 33-12, eight tenders. 4. Various unit prices in long schedules. 5. Contract 32-28 to Dufferin Paving and Crushed Stone, Ltd. Contract 33-12 to Dufferin Paving and Crushed Stone, Ltd. 6. Excavation of trench and placing of tile sublet. 7. Contract No. 32-28, Schutz Pump & Tile Company, Durham, 6" field tile, 14c. Contract No. 33-12, Farr & Hern, St. Catharines, 6" field tile, 12c. 8. The work was done to put a permanent surface on a road which was very costly to maintain, and also for the purpose of relieving unemployment.

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Mr. Baxter asked the following Question (No. 94):—

1. What remuneration or gratuities were paid in respect to the Ontario Hydro-Electric Power Commission enquiry to (a) Hon. Mr. Justice Orde; (b) Hon. Mr. Justice Middleton; (c) Hon. Mr. Justice Riddell; (d) Hon. Mr. Justice Sedgewick. 2. What was the total cost of such enquiry. 3. Did the above-mentioned Commissioners hold the sittings during Long Vacation or Christmas Vacation or when the regular sittings of their Courts were continuing.

The Honourable the Attorney-General replied as follows:—

(a) Estate of the late Hon. Mr. Justice Orde, \$5,000.00; (b) Hon. Mr.

Justice Middleton, nothing; (c) Hon. Mr. Justice Riddell, \$1,500.00; (d) Hon. Mr. Justice Sedgewick, \$1,500.00. 2. \$30,158.37. 3. Yes, with the exception of the Christmas vacation.

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The following Bills were severally read the second time:—

Bill (No. 107), An Act to amend The Municipal Act.

Referred to the Committee on Municipal Laws.

Bill (No. 108), An Act to amend The Assessment Act.

Referred to the Committee on Municipal Laws.

Bill (No. 112), An Act to amend The Local Improvement Act.

Referred to the Committee on Municipal Laws.

Bill (No. 103), An Act to amend The Municipal Act.

Referred to the Committee on Municipal Laws.

Bill (No. 111), An Act to amend The Assessment Act.

Referred to the Committee on Municipal Laws.

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The House resolved itself into a Committee, severally to consider the following Bills:—

Bill (No. 23), An Act respecting the Township of York.

Bill (No. 26), An Act respecting the Village of Forest Hill.

Bill (No. 13), An Act respecting the Township of Teck.

Bill (No. 38), An Act respecting the City of Chatham.

Mr. Speaker resumed the Chair; and Mr. Mahony reported, That the Committee had directed him to report the several Bills without Amendments.

*Ordered*, That the Bills reported, be severally read the third time on Monday next.

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The House then adjourned at 4.00 p.m.

MONDAY, MARCH 12TH, 1934

PRAYERS.

3 O'CLOCK P.M.

The following Bill was introduced and read the first time:—

Bill (No. 115), intituled "An Act to amend The Mining Act." *Mr. McCrea.*

*Ordered*, That the Bill be read a second time To-morrow.

Mr. Robertson asked the following Question (No. 2):—

1. Upon whose recommendation was the Sheriff of the County of Simcoe appointed. 2. Had he ever served with His Majesty's forces overseas. 3. What are the names of the ex-service men who applied for this position.

The Honourable the Attorney-General replied as follows:—

1. Upon the recommendation of the Attorney-General to the Lieutenant-Governor in Council. 2. No. 3. No ex-service men applied for this position.

Mr. Hutchinson asked the following Question (No. 85):—

1. Did E. E. Wallace, at any time, make application to the Crown Timber Agent for either of the following timber areas to be placed on the market for tenders: (a) Berth A.T.W. 8A, District of Kenora, approximately 14 square miles. (b) Berth M-23, District of Kenora, approximately 14 square miles. 2. Did the Crown Timber Agent suggest to E. E. Wallace that area M-17, District of Kenora, approximately 14 square miles, would be offered for tender instead of other areas he had applied for. 3. Why were the areas referred to in 1 offered for tender after E. E. Wallace had successfully tendered on the area referred to in 2.

The Honourable the Minister of Lands and Forests replied as follows:—

1. (a) No. (b) No. 2. No. 3. The Licensee of A.T.W. 8, Geo. Farlinger, had practically completed operations thereon, and requested the opportunity of securing additional timber to supply his mill, and A.T.W. 8A, 3½ square miles (not 14 square miles, as question indicates) was offered by public tender. The Licensees of an area adjacent to M-23, Indian Lake Lumber Company, applied for additional timber to meet their mill requirements, and M-23 was advertised for sale.

Mr. Robertson asked the following Question (No. 95):—

1. When was Henry M. Robbins appointed Deputy Minister of Hospitals. 2. What salary, remuneration and travelling expenses did he receive yearly since his appointment. 3. Has his position been filled, and if so, by whom and at what salary.

The Honourable the Prime Minister replied as follows:—

1. May 15th, 1931. 2. Salary, \$5,400 per annum; travelling expenses: 1931, \$279.84; 1932, \$370.96; 1933, \$356.45. 3. Yes, by the appointment of Dr. B. T. McGhie, Director of Hospital Services, without additional remuneration.

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Mr. Robertson asked the following Question (No. 97):—

1. Has Mr. C. Alfred McGuire, Hydro-Electric Commissioner, or the firm of McGuire and Cannon, any connection with the Montreal office of the Royal Insurance Company of Liverpool, England.

The Honourable the Prime Minister replied as follows:—

1. The answer is in the negative.

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The following Bills were severally read the second time:—

Bill (No. 100), An Act to amend The Municipal Act.

Referred to the Committee on Municipal Laws.

Bill (No. 104), An Act to amend The Assessment Act.

Referred to the Committee on Municipal Laws.

Bill (No. 106), An Act to amend The Assessment Act.

Referred to the Committee on Municipal Laws.

Bill (No. 109), An Act to amend The Municipal Act.

Referred to the Committee on Municipal Laws.

Bill (No. 62), An Act to amend The Partnership Registration Act.

Referred to a Committee of the Whole House To-morrow.

Bill (No. 96), An Act to amend The Medical Act.

Referred to a Committee of the Whole House To-morrow.



Bill (No. 110), An Act to amend The Public Parks Act.

Referred to the Committee on Municipal Laws.

Bill (No. 43), The Public Commercial Vehicle Act, 1934.

Referred to a Committee of the Whole House To-morrow.

Bill (No. 79), An Act to amend The Loan and Trust Corporation Act.

Referred to a Committee of the Whole House To-morrow.

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The House resolved itself into a Committee to consider Bill (No. 81), The Milk Control Act, and, after some time spent therein, Mr. Speaker resumed the Chair; and Mr. Mahony reported, That the Committee had directed him to report the Bill with certain amendments.

*Ordered*, That the amendments be taken into consideration forthwith.

The amendments, having been read the second time, were agreed to.

*Ordered*, That the Bill be read the third time To-morrow.

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The House resolved itself into a Committee to consider Bill (No. 61), An Act to amend The Registry Act, and, after some time spent therein, Mr. Speaker resumed the Chair; and Mr. Mahony reported, That the Committee had directed him to report the Bill without any amendment.

*Ordered*, That the Bill be read the third time To-morrow.

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The House resolved itself into a Committee to consider Bill (No. 95), An Act to amend The Dentistry Act, and, after some time spent therein, Mr. Speaker resumed the Chair; and Mr. Mahony reported, That the Committee had directed him to report the Bill without any amendment.

*Ordered*, That the Bill be read the third time To-morrow.

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On motion of Mr. Finlayson, seconded by Mr. McCrea,

*Ordered*, That this House do forthwith resolve itself into a Committee to consider a certain proposed Resolution respecting the setting apart out of the Consolidated Revenue Fund the sum of Three Million Dollars (\$3,000,000.00) and that the same shall be applied for the purposes set out in The Northern

Development Act and The Returned Soldiers' and Sailors' Land Settlement Act, or any of them.

Mr. Henry acquainted the House that His Honour the Lieutenant-Governor, having been informed of the subject matter of the proposed Resolution, recommends it to the consideration of the House.

The House then resolved itself into the Committee.

*(In the Committee)*

*Resolved*, "That in addition to the amounts provided by The Northern Ontario Appropriation Acts, heretofore enacted, there shall be set apart out of the Consolidated Revenue Fund the sum of Three Million Dollars (\$3,000,000.00) and the same shall be applied for the purposes set out in The Northern Development Act and The Returned Soldiers' and Sailors' Land Settlement Act, or any of them."

Mr. Speaker resumed the Chair; and Mr. Mahony reported, that the Committee had come to a certain Resolution.

*Ordered*, That the Report be now received.

*Resolved*, "That in addition to the amounts provided by The Northern Ontario Appropriation Acts, heretofore enacted, there shall be set apart out of the Consolidated Revenue Fund the sum of Three Million Dollars (\$3,000,000.00) and the same shall be applied for the purposes set out in The Northern Development Act and The Returned Soldiers' and Sailors' Land Settlement Act, or any of them."

The Resolution, having been read the second time, was agreed to.

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The Provincial Secretary presented to the House, by command of The Honourable the Lieutenant-Governor:—

Orders-in-Council made pursuant to The Ontario Insurance Act and The Guarantee Companies Securities Act, Department of Insurance. (*Sessional Papers No. 30.*)

Also, Report of the Minister of Public Works, Ontario, for year ending October 31st, 1933. (*Sessional Papers No. 8.*)

Also, Report of the Ontario Athletic Commission for year ending October 31st, 1933. (*Sessional Papers No. 46.*)

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The House then adjourned at 4.00 p.m.

TUESDAY, MARCH 13TH, 1934

PRAYERS.

3 O'CLOCK P.M.

Mr. Price from the Standing Committee on Private Bills presented their Sixth Report, which was read as follows and adopted:—

Your Committee beg to report the following Bills without amendment:—

Bill (No. 39), An Act respecting the City of Ottawa.

Bill (No. 40), An Act respecting the Township of Cornwall.

Bill (No. 41), An Act respecting the Township of Cornwall and the Town of Cornwall.

Your Committee beg to report the following Bills with certain amendments:—

Bill (No. 17), An Act respecting the City of St. Thomas.

Bill (No. 31), An Act respecting the Town of Harriston.

Bill (No. 35), An Act respecting the Town of Orillia.

Bill (No. 36), An Act respecting the Town of Southampton.

Your Committee recommend that the time for receiving Reports of Committee on Private Bills be extended to and inclusive of Tuesday, the Twentieth day of March.

*Ordered*, That the time for receiving Reports of Committee on Private Bills be extended to and inclusive of Tuesday, the Twentieth day of March.

The following Bills were severally introduced and read the first time:—

Bill (No. 116), intituled "An Act respecting The Windsor-Walkerville Vocational School." *Mr. Henry*.

*Ordered*, That the Bill be read the second time To-morrow.

Bill (No. 117), intituled "An Act to amend The Workmen's Compensation Act." *Mr. Hutchinson*.

*Ordered*, That the Bill be read a second time To-morrow.

The Order of the Day for resuming the Adjourned Debate on the Amendment

to the Motion, That Mr. Speaker do now leave the Chair and that the House resolve itself into the Committee of Supply, having been read,

The Debate was resumed.

And the House having continued to sit until Twelve of the Clock midnight,

Wednesday, March 14th, 1934,

The Debate continued.

And after some time it was on the motion of Mr. Sangster,

*Ordered*, That the Debate be adjourned until Thursday next.

---

The Provincial Secretary presented to the House, by command of The Honourable the Lieutenant-Governor:—

Report on Operations under The Northern Development Act and The Colonization Roads Act for year ending October 31st, 1933. (*Sessional Papers No. 47.*)

Also, Return to an Order of the House, That there be laid before the House a Return showing: 1. (a) How many automobiles, trucks and motorcycles were owned by the Ontario Government in each of the years 1929 to 1932, inclusive. (b) What was the total cost of maintenance and operation in each of the above years. 2. (a) How many automobiles, trucks and motorcycles were given mileage and other allowances by the Ontario Government during the above years. (b) What was the cost during these years. (*Sessional Papers No. 48.*)

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The House then adjourned at 12.05 a.m.

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WEDNESDAY, MARCH 14TH, 1934

PRAYERS.

3 O'CLOCK P.M.

The following Bills were severally introduced and read the first time:—

Bill (No. 118), intituled "An Act to amend The Insurance Act." *Mr. Price* (Parkdale).

*Ordered*, That the Bill be read a second time To-morrow.



Bill (No. 119), intituled "The Northern Ontario Appropriation Act, 1934."  
*Mr. Finlayson.*

*Ordered,* That the Bill be read a second time To-morrow.

Bill (No. 120), intituled "An Act to amend The Ditches and Watercourses Act." *Mr. Sanderson.*

*Ordered,* That the Bill be read a second time To-morrow.

Bill (No. 121), intituled "An Act to amend The Co-operative Marketing and Loan Act." *Mr. Kennedy (Peel).*

*Ordered,* That the Bill be read a second time To-morrow.

Mr. Newman asked the following Question (No. 46):—

1. What are the names of the Lessors, their addresses and the amount of annual rental payable of or in respect to each of the stores of the Liquor Control Board of Ontario. 2. In what instances does this rental include taxes and other rates. 3. Were tenders asked for the rental of premises to be used for Liquor Control Stores. 4. How many and where are the stores owned by the Government or the Board.

The Honourable the Attorney-General replied as follows:—

1 and 2—

Name and Address of Lessor	Annual Rental	Name and Address of Lessor	Annual Rental
Fred Adam, 91 Drouillard Rd., East Windsor.....	*\$1,200 00	Mrs. A. Blahey, Box 70, Timmins	†\$2,640 00
C. Albert and S. Mitchell, Blind River.....	* 600 00	S. E. Blair, Westport.....	* 600 00
J. A. Alexander and H. Holbeck, Fort Frances.....	*1,200 00	C. A. Boone, 36 Toronto St., Toronto (Store No. 16).....	*5,700 00
J. L. Anderson and H. Anderson, 665 King St. E., Hamilton (Store No. 22).....	*1,933 80	Harry E. Boyle, Napanee.....	* 780 00
Mrs. T. Assaf, Haileybury.....	† 960 00	V. Brisson, Hearst.....	* 840 00
A. A. Aubin Estate, Executors, Toronto General Trust Corp., and A. Z. Aubin, Sturgeon Falls	† 900 00	Brock Lodge No. 9, and St. Lawrence Lodge No. 137, I.O.O.F., represented by Brockville Odd-fellows Board, Brockville.....	*1,200 00
N. F. Babb, Mornington St., Stratford.....	*1,740 00	R. Brownlee, Chapleau.....	* 780 00
Dr. L. A. Barrett and L. K. Martin, c/o J. Hancock, Galt.....	*1,020 00	W. F. Brownlee, Niagara-on-the-Lake.....	* 660 00
Lillian M., R. G. and I. R. Baxter, La Belle Building, Windsor (Store No. 32).....	*5,400 00	J. J. Buchanan, 119 Spadina Ave., Toronto (Store No. 11).....	†1,620 00
L. H. Belanger Estate, Executor, J. R. McCrea, New Liskeard...	* 960 00	Canada L.O.L., Lodge No. 2623, Iroquois Falls.....	*1,080 00
G. Bernhardt Estate; Executor, Waterloo Trust & Savings, Kitchener.....	* 900 00	J. W. Humpidge Estate; Executors, Canada Trust Co., London (Store No. 26).....	*1,800 00
J. G. Bickerton, 520 Dundas St., Woodstock.....	* 900 00	Carter, Bradley & Silverstone, Ltd., Box 178, Cochrane.....	*1,680 00
		Stop & Shop, Ltd., c/o Chartered Trust & Executor Co., 34 King St. W., Toronto (Store No. 14)	†1,200 00
		C. Cira, 493 Parliament St., Toronto (Store No. 8).....	*3,600 00

\*Includes taxes. †Includes taxes and water rate.

Name and Address of Lessor	Annual Rental	Name and Address of Lessor	Annual Rental
T. A. Code, Perth.....	†\$840 00	Municipal Corporation of the City of Kingston, Kingston....	*\$1,400 00
Coneybeare & Irving Construction Co., Ltd., 96 Delaware Ave., Toronto (Store No. 9).....	†1,500 00	D. Korman, Englehart.....	† 720 00
Mrs. L. Cornell, 779 Lakeshore Rd., New Toronto.....	*2,700 00	Cyrus Kraft, Waterloo.....	† 900 00
Craig Nethan Securities, Ltd. (Store No. 21), 1614 Canada Permanent Bldg., Toronto....	*3,000 00	T. Laurin, Hawkesbury.....	† 600 00
C. A. Crew, Scarborough Bluffs..	*1,500 00	James and Josephine Lococo, 911 Victoria Ave., Niagara Falls...	†1,800 00
Jos. Cybulski, Barry's Bay.....	* 480 00	St. Catharines Improvement Corp., Ltd., 49 Ontario St., St. Catha- rines.....	*1,200 00
Wm. F. Day, c/o N. W. Bryson, 114 Danforth Ave., Toronto (Store No. 4).....	†1,800 00	O. W. Shonfelt, 34 Empire Ave., Toronto (Store No. 15).....	*2,820 00
Miss E. J. Dempster, Executrix, Estate of Sarah J. Dempster, 3 King St. W., Gananoque....	* 710 00	J. A. Maher, City Drug Store, Picton.....	* 960 00
D. J. Drew, Tamworth.....	* 240 00	James X. Mays and W. A. Hammond, Chatham.....	†1,325 00
C. J. I. Eames, c/o L. C. Eames (re Grimsby Store), 306-308 King St. E., Hamilton.....	* 780 00	W. Y. Montgomery, c/o Bank of Nova Scotia, Port Arthur.....	*1,500 00
G. A. and A. H. Edwards, 101 Alvin Apts., Windsor (Store No. 31).....	*2,400 00	Harry Morel, Mattawa.....	† 780 00
A. T. Enard, Embrun.....	* 540 00	E. M. Murphy, Swastika (Kirk- land Lake Store).....	†2,400 00
Jos. Infantino and Rosario Agra, 285 East Main St., Welland....	*1,920 00	Wm. D. and Mary Murray, c/o Imperial Bank, Sandwich.....	*1,200 00
Henry and Napoleon Fauteux, 1012 Wellington St., Ottawa (Store No. 121).....	† 960 00	J. E. Lyons, c/o Dr. J. K. McBane, Rainy River.....	* 900 00
J. H. Fehrenbach Estate, 103 Frederick St., Kitchener.....	*1,500 00	W. A. McCarthy and Chas. M. Roberts, Port Hope.....	* 820 00
Mrs. M. I. Fenn, P.O. Box 481, Parry Sound.....	* 900 00	Norman McCormick, Pelee Island	* 420 00
Edwin Florence, Sioux Lookout..	* 900 00	Mrs. Catherine McDonald, Alex- andria.....	* 480 00
G. F. Girardin, Amherstburg....	*1,080 00	Spirit Rock Lodge No. 312, I.O.O.F., Wiarton.....	* 480 00
Gravenhurst Mason Temple Co., Ltd., Gravenhurst.....	*1,080 00	Mrs. Eva S. McDougall, Wallace- burg.....	* 600 00
W. J. Green, 1 White St., St. Thomas.....	*1,380 00	The McJee Co., Ltd., Cobourg	*1,020 00
Wm. Griffith, Capreol.....	* 600 00	Miss Margaret McRae, Lancaster	* 420 00
P. J. Harty (Eganville Store), Ansonville.....	* 420 00	The National Realty Corp., Ltd., 59 Lombard St., Toronto (Store No. 1).....	*9,000 00
Maxwell K. Heap and F. W. Witts (Kenora Store), 12330 Ohio Ave., Detroit, Mich.....	*1,200 00	Northern Ontario Securities, Ltd., 1502 St. Catharine St., Mon- treal (Cobalt Store).....	* 660 00
John Jack, Box 508, Paris.....	* 600 00	James O'Leary Estate, c/o Miss Edith Young, Executrix, Pres- cott.....	* 720 00
Fairy Lodge No. 275, I.O.O.F., Huntsville.....	† 480 00	Cecil T. Oke, 40 King St. W., Oshawa.....	*2,100 00
W. F. Willoughby, c/o Jones & Johnston, Guelph.....	*1,320 00	Jos. Palumbo, 1021 Logan Ave., Toronto (Store No. 13).....	*2,100 00
Sam Kassirer, c/o Canadian Bank of Commerce, Port Colborne...	*1,680 00	Mrs. Catherine Pennett, 20 Beck- with St., Smith Falls.....	* 900 00
J. Kelly (North Bay Store), Espanola.....	†2,100 00	D. Perron, Rockland.....	* 660 00
T. Kenny & Co., Ltd., Sarnia...	*1,800 00	The Thos. Pink Co., Ltd., Pem- broke.....	†1,500 00
Mrs. R. Umbach, Mrs. I. M. Par- ker and Estelle M. Kerr, Exec- utrices, George Kerr Estate, 80 Spadina Rd., Toronto (Store No. 12).....	*1,500 00	The Alfred Pitt, Ltd., Dryden...	† 900 00
F. and C. Kert, 433 Besserer St., Ottawa (Store No. 38).....	†2,100 00	Wm. N. Ponton, 28 Bridge St., Belleville.....	*2,040 00
W. J. Kerwin, Executor, Estate of John Kerwin, 69 Harper Ave., Toronto (Store, Dundas).....	* 960 00	W. F. Powell, 689 Bank St., Ottawa (Store No. 37).....	†1,900 00
T. F. Kingsmill, 70 Dundas St., London (Store No. 27).....	*1,800 00	F. Douglas and R. H. Reville, 3 Church St., Brantford.....	*1,800 00
		David Robertson and J. Rowland, c/o Robertson & Robertson, Walkerton.....	* 960 00
		Rothschild & Co., Ltd., Sudbury.	†3,300 00
		Royal Trust Co., Executors, Es- tate of John G. Snetsinger, Ottawa (Cornwall Store).....	* 960 00

\*Includes taxes. †Includes taxes and water rate.

Name and Address of Lessor	Annual Rental	Name and Address of Lessor	Annual Rental
Melrose Investments, Ltd., Toronto (Store No. 19).....	*\$2,100 00	L. S. Thompson, Simcoe.....	* \$720 00
The Sault Ste. Marie War Veterans' Association, Ltd., and Canadian Legion of the British Empire, Sault Ste. Marie.....	*1,500 00	A. E. Thomson, Thessalon.....	* 600 00
H. A. Shields Estate, Executors, Miss Hazel Shields and Gladys Bell, Box 1298, Smith's Falls..	* 360 00	Toronto General Trusts Corp., Executors, Estate of T. A. Woods, 253 Bay St., Toronto (Store No. 3).....	*1,800 00
G. F. Schneider, 367 George St., Peterborough.....	*1,500 00	Mrs. E. M. Tripp, c/o Mark Tripp, Box 489, Trenton.....	*1,020 00
J. A. Schroeder, Elmira.....	* 900 00	H. A. Truman, 408 Maple Ave., Hamilton (Store No. 23).....	*2,040 00
Estate of J. Waldron Scott, Listowel (Palmerston Store).....	* 600 00	Mrs. D. A. Wakely, 24 Broadway Ave., Ottawa (Lindsay Store)..	*1,200 00
Estate of Esther Slater, Executor, Sir Percy Sherwood, 193 Spark St., Ottawa (Store No. 36)....	*2,400 00	Geo. Wright, E. C. Hazen and C. Morrison, c/o Walkerville Lodge 348, I.O.O.F., 112 Argyle Rd., Walkerville.....	†1,440 00
Nathan Smith & Co., 138-142 York St., Toronto (Store No. 2)	*8,400 00	J. J. Walsh Estate, Executors, W. C. Hart, H. W. Shopley and Mrs. E. Walsh, 112 Tyndall Ave., Toronto (Store No. 10)...	*4,260 00
Mrs. C. Sneath, Thorold.....	* 810 00	G. S. Webb, Box 252, Barrie....	†1,020 00
A. and A. Solomon, Espanola....	* 600 00	W. Williamson, 815 Woodbine Ave., Toronto (Store No. 5)...	†2,400 00
F. R. L. Sparrow, Arnprior.....	* 600 00	G. S. Winder, 45 Spencer Ave., Toronto (Deseronto Store)....	* 360 00
Mabel S. Carter, Executrix, Estate of Louis Carter, 135 Tyndall Ave., Toronto (Store No. 6)	*1,620 00	A. J. and Jos. H. Yelle, Kapuskasing.....	*1,200 00
George Tait, Bridgeburg.....	*2,280 00	J. E. Yocom, Box 54, Dunnville..	* 800 00
Alphonse Tessier Estate, Penetanguishene.....	* 480 00		
G. W. Thomas and Grace B. Thomas, 325 Durie St., Toronto (Store No. 7).....	*2,400 00		

\*Includes taxes. †Includes taxes and water.

3. No. 4. One store is located in premises owned by the Liquor Control Board of Ontario, namely, No. 41 Store at 209 Victoria Avenue, Fort William.

Mr. Mackay asked the following Question (No. 48):—

1. How many appointments were made upon the recommendation or approval of the Ontario Civil Service Commissioner in 1930, 1931, 1932 and 1933.  
2. How many appointments were made without his recommendation or approval during the above-mentioned periods. 3. How many of such appointees were ex-service men. 4. How many did not have war service experience.

The Honourable the Prime Minister replied as follows:—

1. 1930: Appointments, 1,170; Resignations, etc., 791. 1931: Appointments, 1,107; Resignations, etc., 825. 1932: Appointments, 609; Resignations, etc., 613. 1933: Appointments, 460; Resignations, etc., 500. 2. Appointments of employees whose duties are of a casual, or seasonal nature, and who are retained for short periods, do not call for a certificate of the Commissioner. The Government is not aware of the precise number of appointments made, during the period mentioned, without the Commissioner's certificate. 3. 486. 4. 981.

Mr. Sinclair asked the following Question (No. 64):—

1. What is the total number of barristers who were named by the Government during 1933 as eligible to receive patents as King's Counsel. 2. Of this number, how many have so far complied with all requirements and received their patents.

The Honourable the Attorney-General replied as follows:—

1. 166. 2. 131.

Mr. Bragg asked the following Question (No. 82):—

By what amounts are the statements of Revenue and Expenditure, for the last fiscal year, reduced by the adjustment or elimination of cross-entries.

The Honourable the Prime Minister replied as follows:—

The totals of Revenue and Expenditure are not affected by the adoption of cross-entries. In accordance with the practice of the Imperial Parliament at Westminster, the Federal Government at Ottawa, and the Provinces of the Dominion, the Expenditures and the Revenues are shown in the Public Accounts in detail both in net and in gross figures. The Expenditure or Revenue Refunds applicable to that charge or to that particular revenue are shown, and the net cost of the service to the Province or the net Revenue received by the Province is shown in the Public Accounts. For example, the cost of Unemployment Relief, Old Age Pensions, Mothers' Allowances, and Back-to-the-Land Movement is shared jointly by the Province, the Dominion Government and Municipalities. The Province acts as disbursing agent and is later reimbursed by the Dominion Government and the Municipalities. These Refunds are shown as deductions from the moneys disbursed and the resultant figures represent the actual cost to the Province of its share of Unemployment Relief, Old Age Pensions, Mothers' Allowances, etc. Similarly, the Hydro-Electric Power Commission and other Commissions refund their share of Public Debt charges. In the fiscal year 1933 Expenditure Refunds amounting to \$37,833,325.84 as shown by the Public Accounts have been applied in reduction of Expenditure. Details are as follows:—

EXPENDITURE REFUNDS CROSS-ENTRIED FOR THE YEAR ENDING  
OCTOBER 31ST, 1933

	Ordinary	Capital
	\$ c.	\$ c.
Public Debt Charges:		
Interest Repayments Received:		
Hydro-Electric Power Commission . . . . .	10,609,986	78
Other . . . . .	2,862,284	41
	13,472,271	19
Unemployment Relief:		
Repayments by Dominion Government . . . . .		9,592,814 97



	Ordinary		Capital	
	\$	c.	\$	c.
Old Age Pensions:				
Repayments by Dominion Government, Municipalities, Other Provinces, Cash Refunds by Estates, etc. ....	15,749	23	6,665,107	08
Mothers' Allowances:				
Repayments by Municipalities, Cash Refunds, etc. ....	2,320	68	1,138,068	63
Back-to-the-Land Movement:				
Repayments by Dominion Government and Municipalities. ....			40,193	67
Highways:				
Repayments by Counties and Cities, Railways, etc. ....	313,148	36	2,624,369	34
Dominion Government Subvention:				
Employment Offices, Agriculture, etc. ....	69,744	50		
Refund of Expenses by Self-sustaining Services:				
Agricultural Development Board, Province of Ontario Savings Offices and Public Trustee.	580,871	82		
Northern Development Roads:				
Sale of Material, etc. ....	125,546	68	96,149	65
Provincial Institutions:				
Patients' Maintenance, Perquisites, Sale of Produce, etc.:				
Mental Hospitals. ....	1,160,757	46		
Reformatories. ....	720,659	83		
Agricultural Colleges, Schools and Farms.	250,610	10		
Others. ....	97,894	41		
Miscellaneous Receipts:				
Departmental Examinations, Sale of Produce, Sale of Equipment, etc. ....	850,217	88	16,830	36
Total. ....	17,659,792	14	20,173,533	70

Mr. Simpson asked the following Question (No. 92):—

1. What amount was paid to the Province by the Ontario Savings Bank in 1933.
2. What amount of money is on deposit in the Ontario Savings Bank.
3. What are the profits of the Ontario Savings Bank after all expenses are paid.

The Honourable the Prime Minister replied as follows:—

1. Nothing.
2. \$21,546,006.32.
3. \$26,135.26, making total surplus as of October 31st, 1933, \$271,415.66.

Mr. Ross asked the following Question (No. 99):—

1. By what amounts are the following financial statements reduced by the adjustment or elimination of cross-entries: (a) Ordinary Revenue (less interest); (b) Ordinary Expenditure (less interest); (c) Interest Revenue; (d) Interest Expenditure; (e) Capital Revenue; (f) Capital Expenditure. 2. Why is the sum of \$211,014.13 still carried as interest revenue and \$221,071.89 as capital revenue, instead of being adjusted and eliminated as cross-entries.

The Honourable the Prime Minister replied as follows:—

1. Answered by reply to Question No. 82. 2. Because they are of a revenue nature and do not appertain to expenditures incurred in 1933.

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Mr. Bragg asked the following Question (No. 103):—

1. When did F. E. Titus enter the Government service. 2. What salary did he receive while in the service. 3. When was he retired. 4. Does he now receive superannuation, or a retiring allowance. 5. If so, how much per year.

The Honourable the Prime Minister replied as follows:—

1. March 2nd, 1920. 2. \$3,500 per annum. 3. May 31st, 1931. 4. Yes. 5. \$1,750 per annum.

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The Order of the Day for the second reading of Bill (No. 74), An Act to amend The Game and Fisheries Act, having been read,

Mr. Taylor moved,

That the Bill be now read the second time.

And the Motion, having been put, was lost on the following Division—

#### YEAS

Baxter	Hutchinson	Oliver
Blakelock	Mackay	Robertson
Bragg	Medd	Ross
Campbell	Nixon	Taylor—12.

#### NAYS

Aubin	Elliott	Henry
Baird	Ellis	Hill
Berry	Finlayson	Honeywell
Blanchard	Freele	Ireland
Burt	Hambly	Jutten
Challies	Harrison	Kennedy
Ecclestone	Heighington	(Temiskaming)

NAYS—*Continued*

Kenning	McNaughton	Smith
Lancaster	Nesbitt	(Essex, South)
Laughton	Poisson	Smith
Lyons	Price	(Greenwood)
Macauley	(Parkdale)	Spence
Martin	Raven	Staples
(Hamilton, West)	Reid	Tweed
Moore	St. Denis	Vaughan
Morrison	Sangster	Wilson
Murphy	Scholfield	(Windsor, East)
(Beaches)	Shields	Wilson—50.
McBrien	Sinclair	(Lincoln)
McMillen		

## PAIRS

Simpson	Clark
Hipel	Graves
McQuibban	McCrea
Newman	Kennedy
	(Peel)

And so it was declared in the Negative.

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The Order of the Day for resuming the Adjourned Debate on the Motion for the second reading of Bill (No. 53), An Act to amend The Judicature Act, having been read,

*Ordered*, That the Order be discharged, and that the Bill be withdrawn.

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The following Bills were severally read the second time:—

Bill (No. 83), An Act to amend The Assessment Act.

Referred to the Committee on Municipal Laws.

Bill (No. 93), An Act to amend The Municipal Act.

Referred to the Committee on Municipal Laws.

Bill (No. 105), An Act to amend The Assessment Act.

Referred to the Committee on Municipal Laws.

Bill (No. 113), An Act to amend The Municipal Act.

Referred to the Committee on Municipal Laws.

Bill (No. 116), An Act respecting the Windsor-Walkerville Vocational School.

Referred to a Committee of the Whole House To-morrow.

Bill (No. 44), An Act to amend The Trustee Act.

Referred to a Committee of the Whole House To-morrow.

Bill (No. 45), An Act to amend The Pawnbrokers Act.

Referred to a Committee of the Whole House To-morrow.

Bill (No. 46), An Act to amend The Conveyancing and Law of Property Act.

Referred to a Committee of the Whole House To-morrow.

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The Provincial Secretary presented to the House, by command of The Honourable the Lieutenant-Governor:—

Report of the Inspector of Legal Offices for year ending December 31, 1933. (*Sessional Papers No. 5.*)

Report of the Public Service Superannuation Board, Ontario, for year ending October 31st, 1933. (*Sessional Papers No. 50.*)

Return to an Order of the House, That there be laid before the House a Return showing: 1. What is the total insurable value of all Government Buildings outside the City of Toronto. 2. (a) What is the total amount of fire insurance carried by the Government on these buildings. (b) Does the Government carry fire insurance on all these buildings. (*Sessional Papers No. 49.*)

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The House then adjourned at 5.50 a.m.

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THURSDAY, MARCH 15TH, 1934

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PRAYERS.

3 O'CLOCK P.M.

The Honourable the Minister of Agriculture informed the House that Representatives of his Department in practically every County in the Province had been approached with reference to the purchase of seed grain. In quite a number of Counties there is a scarcity of seed grain and in practically every



County there are farmers without seed grain and without sufficient credit to enable them to secure it.

Due to these extraordinary conditions, the Government proposes to ask the County Councils to appeal to the Banks and to secure loans under Section 88 of The Banking Act for the purchase of seed grain in order to assist those farmers within their municipality who apply to them for help.

In the event of the Counties losing any money in connection with the repayment of these loans, the Government is prepared to accept two-thirds of the responsibility, providing the municipalities accept one-third.

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The Order of the Day for resuming the Adjourned Debate on the Amendment to the Motion, That Mr. Speaker do now leave the Chair and that the House resolve itself into the Committee of Supply, having been read,

The Debate was resumed.

And after some time it was on the motion of Mr. McQuibban,

*Ordered*, That the Debate be adjourned until Tuesday next.

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The House then adjourned at 11.50 p.m.

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## FRIDAY, MARCH 16TH, 1934

PRAYERS.

3 O'CLOCK P.M.

On motion by Mr. Price (Parkdale), seconded by Mr. Henry,

*Ordered*, That Rule No. 60 of this House be suspended in this, that the time for presenting Reports of Committees on Private Bills be further extended up to and including Thursday, the 22nd day of March next.

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The following Bills were severally introduced and read the first time:—

Bill (No. 122), intituled "An Act to amend The Election Act." *Mr. Price* (Parkdale).

*Ordered*, That the Bill be read a second time on Monday next.

Bill (No. 123), intituled "An Act to amend The Voters' Lists Act." *Mr. Price* (Parkdale).

*Ordered*, That the Bill be read a second time on Monday next.

Bill (No. 124), intituled "An Act to amend The Unemployment Relief Act, 1933." *Mr. Henry*.

*Ordered*, That the Bill be read the second time on Monday next.

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*Mr. Henry* moved, seconded by *Mr. Price* (Parkdale),

That the charges made in this House on Thursday, March the Fifteenth instant, by the Member for Wellington, South, to the effect that J. R. Gunning, while employed as a foreman by the Department of Public Highways on the Talbotville Division, did during the years 1929 and 1930 falsify the pay sheets certified by him and as a result did obtain money from the Department for which no return in work or labour was made, be and are hereby referred to the Committee on Public Accounts with instructions to fully investigate the same and to require the attendance of any witnesses and the production of all necessary documents and papers and to report back to this House with all convenient despatch.

And a Debate having arisen, after some time,

*Mr. McQuibban*, seconded by *Mr. Robertson*, moved in amendment that the charges referred to in the motion be not referred to the Committee on Public Accounts for investigation but that the charges be referred for investigation by a Royal Commission to be appointed by the Lieutenant-Governor in Council, and that the Member for Wellington, South, be given the privilege of having Counsel to represent him before the Commission.

The Debate continued, and after some time the amendment having been put was lost on division.

The main Motion then having been put was declared carried.

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*Mr. Baxter* asked the following Question (No. 24):—

1. Who had the contract for building the highway commencing at the subway at Norwood and extending to about 2 miles east of Havelock. 2. Was the contract for this piece of road let by tender. 3. If so, what was the amount of each tender. 4. What are the names of those who put in a tender.

The Honourable the Prime Minister replied as follows:—

1. Rayner Construction, Limited. 2. Yes, tender for 4 miles east of Norwood, later extended to 2 miles east of Havelock. 3. \$31,899.50, \$31,910.00, \$33,686.00,

\$34,637.50, \$35,189.00, \$35,452.00, \$35,495.00, \$35,689.00, \$36,708.00, \$36,906.00, \$37,796.00, \$40,174.00, \$40,963.80, \$41,442.00, \$41,520.00, \$42,150.00, \$58,829.00; 4. Rayner Construction, Limited; Holmes and Jamieson; Armstrong Brothers, Lounsbury Brothers; Grant Brothers Construction Company; Avery Shipp Construction Company; E. Irvine Company, Limited; Dufferin Paving Company; C. V. Billie and Son; McNamara Construction Company; Brennan Paving Company; J. J. MacNab; Fry and Baskin; D.H.O.; Curran and Briggs; Holdcroft Construction Company; J. J. Schamerhorn.

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Mr. Nixon asked the following Question (No. 73):—

1. What sums of money have been paid to W. N. Tilley, K.C., or to any member of the firm of Tilley, Johnson, Thomson and Parmenter, or the firm itself, since the close of the last fiscal year by: (a) The Government. (b) The Hydro-Electric Power Commission of Ontario. 2. For what particular work was the money paid in each instance.

The Honourable the Prime Minister replied as follows:—

1. (a) Services of Mr. Tilley as Counsel for the Royal Commission appointed to inquire into certain matters concerning the Hydro-Electric Power Commission of Ontario, \$15,000.00. Fee for Mr. Tilley's services in connection with the appeal by the Dominion and cross-appeal by the Province from judgment of Mr. Justice Garrow delivered 26th January, 1931, the appeal and cross-appeal being abandoned after judgment of the Privy Council delivered 22nd October, 1931. Conferences with Attorney-General and Superintendent of Insurance with regard to Dominion Order-in-Council of December 31st, 1931, and the Insurance Bill introduced to the Senate in 1932; also conferences with Mr. Geoffrion representing the Province of Quebec and attending meetings of representatives of Dominion and Provinces at Ottawa called by Hon. Mr. Meighen; also conferences of representatives of the Province of Ontario and the Province of Quebec at the office of the Attorney-General in Toronto when the validity of various provisions of the Dominion Bill was carefully considered, \$2,000.00. (b) Hamilton Street Railway Company—Taxi prosecutions appeal—Rex verses Dickson. Fee for Mr. Tilley's services to cover preparation for and argument of motion before Chief Justice Rose, and appeal to Court of Appeal for Ontario, \$500.00. Covering fee for services in connection with the new Beauharnois bond mortgage and the terms protecting the Commission's power contract, \$50.00. 2. Answered by the replies to question No. 1.

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Mr. McQuibban asked the following Question (No. 87):—

1. (a) What contracts for power have been entered into between the H.E.P.C. acting for the Government and the Northern Ontario Power Corporation, and the Northern Quebec Power Corporation. (b) When does delivery take place. (c) For what amount of power are these contracts. (d) What is the price of each contract when delivery takes place.

The Honourable Mr. Cooke replied as follows:—

1. (a) Contract for growth power dated November 7th, 1933. (b) February 1st, 1934, at Kirkland Lake. (c) The entire load increase of the Company from February 1st, 1934, and continuing for ten years with a minimum of 2,000 horsepower. (d) \$32.50 per horsepower.

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Mr. Taylor asked the following Question (No. 101):—

1. Who is Chairman and who are the members of the Minimum Wage Board. 2. What is the rate of allowance to the Chairman and each member. 3. Do their duties require full-time or part-time attendance. 4. If part-time, what are the business or professional affiliations of each.

The Honourable the Prime Minister replied as follows:—

1. R. A. Stapells, Chairman; H. G. Fester and Miss M. Stephen, members. 2. Per diem allowances for Board. Mr. Stapells, \$15.00; Mr. Fester, \$20.00; Miss Stephen, \$10.00. 3. Mr. Stapells, part time; Mr. Fester, full time; Miss Stephen, full time. Mr. Fester and Miss Stephen paid for attendance at each meeting. 4. Mr. Stapells is President of Stapells, Fletcher, Limited, Toronto, and Vice-President of J. J. Gibbons, Limited, Toronto.

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Mr. Murray asked the following Question (No. 104):—

1. Where does H. S. Pierce who received burial fees from Cobourg Hospital reside. 2. By whose recommendation was he engaged. 3. What is his occupation.

The Honourable the Minister of Health and Labour replied as follows:—

1. Cobourg, Ontario. 2. Engaged November, 1929, but no record of recommendation. 3. Funeral Director and House Furnisher.

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The following Bills were read the third time and were passed:—

Bill (No. 48), An Act to amend The Public Authorities Protection Act.

Bill (No. 51), An Act to amend The Summary Convictions Act.

Bill (No. 55), An Act to amend The Insurance Act.

Bill (No. 56), An Act to amend The Juvenile Courts Act.

Bill (No. 63), An Act to amend The Factory, Shop and Office Building Act.



Bill (No. 65), An Act to amend The Temiskaming and Northern Ontario Railway Act.

Bill (No. 67), An Act to amend The Public Health Act.

Bill (No. 68), An Act to amend The Venereal Diseases Prevention Act.

Bill (No. 23), An Act respecting the Township of York.

Bill (No. 26), An Act respecting the Village of Forest Hill.

Bill (No. 13), An Act respecting the Township of Teck.

Bill (No. 38), An Act respecting the City of Chatham.

Bill (No. 81), The Milk Control Act.

Bill (No. 61), An Act to amend The Registry Act.

Bill (No. 95), An Act to amend The Dentistry Act.

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The Order of the Day for the second reading of Bill (No. 77), An Act to amend The Game and Fisheries Act, having been read,

*Ordered*, That the Order be discharged, and that the Bill be withdrawn.

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The Order of the Day for the second reading of Bill (No. 101), An Act to amend The Factory, Shop and Office Building Act, having been read,

Mr. Oakley moved,

That the Bill be now read the second time.

And the Motion, having been put, was lost on a Division.

And so it was declared in the Negative.

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The following Bills were severally read the second time:—

Bill (No. 114), An Act to amend The Interpretation Act.

Referred to a Committee of the Whole House on Monday next.

Bill (No. 117), An Act to amend The Workmen's Compensation Act.

Referred to the Committee on Legal Bills.

Bill (No. 120), An Act to amend The Ditches and Watercourses Act.

Referred to the Committee on Municipal Laws.

Bill (No. 17), An Act respecting the City of St. Thomas.

Referred to a Committee of the Whole House on Monday next.

Bill (No. 31), An Act respecting the Town of Harriston.

Referred to a Committee of the Whole House on Monday next.

Bill (No. 35), An Act respecting the Town of Orillia.

Referred to a Committee of the Whole House on Monday next.

Bill (No. 36), An Act respecting the Town of Southampton.

Referred to a Committee of the Whole House on Monday next.

Bill (No. 39), An Act respecting the City of Ottawa.

Referred to a Committee of the Whole House on Monday next.

Bill (No. 40), An Act respecting the Township of Cornwall.

Referred to a Committee of the Whole House on Monday next.

Bill (No. 41), An Act respecting the Township of Cornwall and the Town of Cornwall.

Referred to a Committee of the Whole House on Monday next.

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The House then adjourned at 5.00 p.m.

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MONDAY, MARCH 19TH, 1934

PRAYERS.

3 O'CLOCK P.M.

Mr. Sinclair, from the Sub-Committee of the Committee on Legal Bills to which were referred Bills No. 68, No. 78 and No. 127, introduced at the last Session of this Legislature, presented the report of the Sub-Committee, which was read as follows, and adopted:—

Letters were sent to County Clerks, County Law Associations, Crown Attorneys, County Judges and the Judges of the Supreme Court asking for views on the merits of said bills. Very limited replies were received from those in outside counties. The opinions given were quite divided. In view of the limited response to our inquiries we are of the opinion that no action should be recommended except as to Bill No. 127 which is re-introduced this Session as Bill No. 48, the passing of which we recommend.

The material received is valuable and we thank those, especially the Judges, who favoured us with their views. We recommend that the replies which are submitted herewith be kept in the office of the Attorney-General for future reference.

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Mr. Wright presented the second and final report of the Standing Committee on Printing which was read as follows, and adopted:—

Your committee recommend that sessional reports be printed in the following quantities:

Minimum Wage Board.....	1,100
Northern Development Act.....	900
Provincial Police.....	750
Ontario Research Foundation.....	1,600
Highways report.....	1,400
Niagara Park Commission.....	900

Your committee recommend purchase of copies of the Canadian Annual Review, 1934, for members of the Legislature.

Your committee recommend purchase of reproductions of pictures, for distribution to members of the Legislature.

Your committee recommend purchase of copies of the Parliamentary Guide, 1934, for members of the Legislature.

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The following Bills were severally introduced and read the first time:—

Bill (No. 125), intituled "An Act to amend The Minimum Wage Act."  
*Mr. Robb.*

*Ordered,* That the Bill be read a second time To-morrow.

Bill (No. 126), intituled "An Act to amend The Ontario Municipal Board Act." *Mr. Price (Parkdale).*

*Ordered,* That the Bill be read a second time To-morrow.

Bill (No. 127), intituled "An Act to amend The Mortgagors' and Purchasers' Relief Act." *Mr. Price* (Parkdale).

*Ordered*, That the Bill be read a second time To-morrow.

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Mr. Simpson asked the following Question (No. 68):—

1. Did the Lieutenant-Governor in Council, on the recommendation of the Minister, pass an Order-in-Council on or about February 6th, 1917, whereby there was set apart for the exclusive right of a company then operating a pulp and paper mill at Sault Ste. Marie to cut pulpwood on an area of 7,184 square miles with a coast line of over 200 miles of Lake Superior. 2. Did the company which had become entitled to the advantage of the "Sturgeon Falls Agreement" of October 6th, 1898, make application during the years 1915 or 1916 for an area of pulpwood lands upon which it would have the exclusive right to cut pulpwood. If so, did the Government of that time enter into an informal agreement or understanding whereby the company received the exclusive right to cut pulpwood on an area of between 2,000 to 3,000 square miles. 3. Did the agreement of November 21st, 1894, known as the "Clergue Agreement," set aside an area of 50 square miles upon which the Grantee would have the exclusive right to cut pulpwood. 4. Did the agreement of October 6th, 1898, known as the "Sturgeon Falls Agreement," set aside an area of 75 square miles upon which the Grantee would have the exclusive right to cut pulpwood. 5. Did the agreement of September 21st, 1899, known as the "Espanola Contract," set aside an area of 50 square miles upon which the Grantee would have the exclusive right to cut pulpwood. 6. Were the agreements above referred to in 3, 4, 5, given effect by Order-in-Council or were they subject to approval by Resolution of the Legislative Assembly. If the latter, was such Resolution subsequently passed.

The Honourable the Minister of Lands and Forests replied as follows:—

1. Yes. The said Order-in-Council was passed in order to enable the Government to carry out the terms of the agreement of the 21st day of November, 1894, known as the Clergue Agreement. The delimitation of the area by Order-in-Council was to accord with the terms of the said agreement and to provide an area on which the Company was required to pay annually fire protection charges, the system for which was inaugurated in the year 1917. 2. No. On the 27th July, 1926, an Order-in-Council was approved by His Honour the Lieutenant-Governor in Council. The Sturgeon Falls limit, comprising 2,369 square miles was delimited and annual fire protection charges have been paid by the concessionnaire since the year 1917. 3. No. The agreement provided that Messrs. Douglas and Clergue and their assigns and an Agent of the Department of Crown Lands, out of a large area described in the said agreement "may select 50 square miles of unoccupied public land." 4. No. The agreement provided that the Company might select and delimit or set out 75 square miles of unoccupied and unlicensed public land from a certain area referred to in said agreement. 5. No. The said agreement provided that the Company may select and delimit or set out 50 square miles of unoccupied and unlicensed public land from a certain vastly greater area described in the said agreement. 6. Agreement referred to in 3, approved by Order-in-Council and ratified by Resolution



of the Legislative Assembly. Agreements referred to in 4 and 5 ratified by Resolution of the Legislative Assembly.

Mr. Campbell asked the following Question (No. 84):—

1. How many square miles of timber, tie or pulpwood lands have been licensed, leased or sold to J. A. Mathieu, Limited, since November 1st, 1926, for which no other tender than that of the above company was received. 2. How many tenders were received by the Department of Lands and Forests in connection with the sale of the following timber areas: (a) Berth 41, Quetico Park, District of Rainy River, File No. 80749, July 20th, 1928. (b) Berth J.A. 19, District of Rainy River, File No. 613B, August 1st, 1928. (c) Berth J.A. 20, Districts of Kenora and Rainy River, File No. 80675, August 20th, 1928. (d) Berth J.A. 22, District of Rainy River, File No. 6138, December 4th, 1928. 3. What were the names of the persons or companies from whom the above tenders were received and what were the prices bid by each tenderer for each class of timber in each of the above cases. 4. What is the total area held under license, lease or permit for each of the years 1927 to 1933, inclusive, by J. A. Mathieu, Limited. 5. What sum of money has accrued to the Province on account of the above licenses, leases or permits for each of the years 1927 to 1933, inclusive.

The Honourable the Minister of Lands and Forests replied as follows:—

1.  $141\frac{1}{2}$  square miles. 2. (a) Two. (b) Two. (c) Three. (d) Two. 3. Berth 41, Quetico Park, District of Rainy River—J. A. Mathieu, Limited: Red and white pine, \$10.60 per M. ft. B.M.; Jack pine, \$6.50 per M. ft. B.M.; Large spruce, \$7.00 per M. ft. B.M.; Spruce pulpwood, \$2.00 per cord; Balsam pulpwood, \$2.00 per cord; Jack pine, 55 cents per cord; Shevlin-Clarke Company, Limited: Red and white pine, \$10.55 per M. ft. B.M.; Jack pine, \$6.50 per M. ft. B.M.; Large spruce, \$7.05 per M. ft. B.M.; Spruce pulpwood, \$2.00 per cord; Balsam pulpwood, \$2.00 per cord; Jack pine pulpwood, 55 cents per cord. Berth J.A. 19, District of Rainy River—J. A. Mathieu, Limited: Red and white pine, \$11.55 per M. ft. B.M.; Spruce, \$6.50 per M. ft. B.M.; Jack pine lathwood, 55 cents per cord; Holmes Brothers: Red and white pine, \$10.60 per M. ft. B.M.; Spruce, \$6.75 per M. ft. B.M.; Jack pine lathwood, 55 cents per cord. Berth J.A. 20, Districts of Kenora and Rainy River—J. A. Mathieu, Limited: Red and white pine, \$9.00 per M. ft. B.M.; Jack pine, \$6.00 per M. ft. B.M.; Large spruce, \$6.00 per M. ft. B.M.; Jack pine lathwood, 45 cents per cord; Spruce pulpwood, \$2.45 per cord; Fort Frances Pulp & Paper Company, Limited: Red and white pine, \$10.10 per M. ft. B.M.; Jack pine, \$6.57 per M. ft. B.M.; Large spruce, \$6.07 per M. ft. B.M.; Jack pine lathwood, 77 cents per cord; Spruce pulpwood, \$2.00 per cord; Cedar poles: 30 feet and under, 35 cents each; 31 feet and over, 50 cents each; Holmes Brothers: Red and white pine, \$7.50 per M. ft. B.M.; Jack pine, \$4.05 per M. ft. B.M.; Large spruce, \$5.00 per M. ft. B.M.; Jack pine lathwood, 47 cents per cord; Spruce pulpwood, \$1.95 per cord; Cedar poles: 30 feet and less, 30 cents each; 31 to 40 feet, 60 cents each; 41 to 50 feet, \$1.00 each; 51 feet and over, \$1.50 each; Cedar posts, dues only. In connection with the sale of timber on J.A. 20 there were two factors in respect

of same, that were pointed out to the Solicitors of the Fort Frances Pulp & Paper Company: (1) "The accredited representative of the Fort Frances Pulp & Paper Company personally informed Mr. Alexander, our Crown Timber Agent, that the estimate of the Crown's cruiser was far from right and that the cruisers of the Company found some 35,000 cords of spruce pulpwood upon the limit. If this be the case then another tenderer, J. A. Mathieu, Limited, is the highest." (2) "The Fort Frances Pulp & Paper Company, Limited, are largely, if not exclusively, interested in the pulpwood upon the area, whereas the Mathieu Company are largely, if not exclusively, interested in the log timber." The desire of the Crown being to amply meet the requirements of the first two tenderers, it was felt that the Fort Frances Pulp & Paper Company, Limited, being pulpwood operators, should be given the right to take all the spruce including the large-sized material at the highest bid on a cordage basis, viz.: \$2.45; and the Mathieu Company be given the privilege of taking the other timber at the highest price bid therefor. A period of ten days was allowed for the acceptance or rejection of this proposition, but, after considerable correspondence, the Fort Frances Company declined to accept the proposition regarding the spruce pulpwood and large-sized spruce, whereas the Mathieu Company accepted the pine timber at the highest prices bid. Berth J.A. 22, District of Rainy River—J. A. Mathieu, Limited: Red and white pine, \$10.50 per M. ft. B.M.; Jack pine, \$9.50 per M. ft. B.M.; Jack pine pulpwood, 85 cents per cord; Holmes Brothers: Red and white pine, \$10.15 per M. ft. B.M.; Jack pine, \$9.15 per M. ft. B.M.; Jack pine pulpwood, 77 cents per cord. 4. 1927-28, 116 $\frac{1}{4}$  square miles; 1928-29, 235 $\frac{3}{4}$  square miles; 1929-30, 265 $\frac{1}{4}$  square miles; 1930-31, 266 $\frac{1}{4}$  square miles; 1931-32, 311 $\frac{3}{4}$  square miles; 1932-33, 285 square miles. 5. 1927-28, \$29,967.77; 1928-29, \$45,612.03; 1929-30, \$49,537.11; 1930-31, \$16,735.69; 1931-32, \$4,305.04; 1932-33, \$5,486.68.

Mr. Robertson asked the following Question (No. 89):—

1. How much has each Minister received for travelling expenses each year during the last five years.

The Honourable the Prime Minister replied as follows:—

	1929	1930	1931	1932	1933
Hon. G. H. Ferguson.....	.....	\$2,000	.....	.....	.....
Hon. Geo. S. Henry.....	.....	.....	.....	.....	.....
Hon. W. H. Price.....	\$1,000	.....	\$500	\$500	\$500
Hon. Chas. McCrea.....	1,000	1,000	1,250	975	1,000
Hon. Wm. Finlayson.....	1,000	850	900	300	700
Hon. Dr. J. M. Robb.....	.....	125	1,000	500	500
Hon. W. G. Martin.....	.....	250	1,000	925	850
Hon. L. Macaulay.....	.....	150	1,000	700	850
Hon. T. L. Kennedy.....	.....	250	1,000	1,000	1,000
Hon. G. H. Challies.....	.....	.....	125	650	600
Hon. Dr. Godfrey.....	1,000	1,000	.....	.....	.....
Hon. Dr. J. D. Monteith.....	1,000	1,000	1,000	1,000	1,000
Hon. Lincoln Goldie.....	300	1,000	.....	.....	.....
Hon. J. S. Martin.....	885	500	.....	.....	.....
Hon. E. A. Dunlop.....	.....	.....	1,000	1,000	1,000
Hon. F. T. Smye.....	60	.....	.....	.....	.....

Mr. Case asked the following Question (No. 118):—

1. How much did each Minister of the Drury Administration receive for travelling expenses during their four years' tenure of office.

The Honourable the Prime Minister replied as follows:—

	1920	1921	1922	1923
Hon. E. C. Drury.....	\$350	\$500	\$750	\$300
Hon. W. E. Raney.....	200	300	.....	.....
Hon. R. H. Grant.....	500	1,000	1,000	1,000
Hon. B. Bowman.....	1,000	550	750	550
Hon. H. Mills.....	800	700	600	700
Hon. F. C. Biggs.....	1,000	1,000	1,000	1,000
Hon. W. R. Rollo.....	.....	2,000	.....	500
Hon. Peter Smith.....	500	500	500	500
Hon. H. Nixon.....	500	500	500	500
Hon. M. Doherty.....	900	2,387.05	700	500

Mr. Hutchinson asked the following Question (No. 113):—

1. Is the Government paying the legal costs and expenses of defendant in the litigation, Hunter vs. Medcalf, now pending in the Courts. 2. On what grounds or for what reasons are the legal services of the Government being placed at disposal of aforesaid defendant. 3. Are such legal services given to aforesaid defendant without cost to him. 4. In what manner or method is the Government interested in the case, Hunter and Medcalf.

The Honourable the Prime Minister replied as follows:—

1. Yes. 2. This action has not yet been tried, and is, therefore, *sub judice*, and should not be commented on. 3. Yes. 4. The complaints against Mr. Medcalf on which the action is founded arose while he was Chief Inspector of Boilers for the Province of Ontario, and it is felt that what he did was done in the course of his duty as Chief Inspector.

The Order of the Day for the second reading of Bill (No. 88), An Act to amend The Coroners Act, having been read,

*Ordered*, That the Order be discharged, and that the Bill be withdrawn.

The following Bills were severally read the second time:—

Bill (No. 90), An Act to amend The Workmen's Compensation Act.

Referred to the Committee on Legal Bills.

Bill (No. 121), An Act to amend The Co-operative Marketing and Loan Act.

Referred to a Committee of the Whole House To-morrow.

Bill (No. 115), An Act to amend The Mining Act.

Referred to a Committee of the Whole House To-morrow.

Bill (No. 122), An Act to amend The Election Act.

Referred to a Committee of the Whole House To-morrow.

Bill (No. 123), An Act to amend The Voters' Lists Act.

Referred to a Committee of the Whole House To-morrow.

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Mr. Henry delivered to Mr. Speaker a message from the Lieutenant-Governor, signed by himself; and the said message was read by Mr. Speaker, and is as follows:—

#### HERBERT ALEXANDER BRUCE

The Lieutenant-Governor transmits Estimates of certain sums required for the service of the Province for the year ending 31st October, 1935, and recommends them to the Legislative Assembly.

GOVERNMENT HOUSE,

Toronto, March 19th, 1934.

(*Sessional Papers No. 2.*)

*Ordered*, That the message of the Lieutenant-Governor, together with the Estimates accompanying the same, be referred to the Committee of Supply.

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The House resolved itself into a Committee, severally to consider the following Bills:—

Bill (No. 17), An Act respecting the City of St. Thomas.

Bill (No. 31), An Act respecting the Town of Harriston.

Bill (No. 35), An Act respecting the Town of Orillia.

Bill (No. 36), An Act respecting the Town of Southampton.

Bill (No. 39), An Act respecting the City of Ottawa.



Bill (No. 40), An Act respecting the Township of Cornwall.

Bill (No. 41), An Act respecting the Township of Cornwall and Town of Cornwall.

Mr. Speaker resumed the Chair; and Mr. Mahony reported, That the Committee had directed him to report the several Bills without amendments.

*Ordered*, That the Bills reported, be severally read the third time To-morrow.

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The House resolved itself into a Committee to consider Bill (No. 42), The School Law Amendment Act, 1934, and, after some time spent therein, Mr. Speaker resumed the Chair; and Mr. Mahony reported, That the Committee had directed him to report the Bill (with certain amendments).

*Ordered*, That the Amendments be taken into consideration forthwith.

The Amendments, having been read the second time, were agreed to.

*Ordered*, That the Bill be read the third time To-morrow.

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The House resolved itself into a Committee to consider Bill (No. 62), An Act to amend The Partnership Registration Act, and, after some time spent therein, Mr. Speaker resumed the Chair; and Mr. Mahony reported, That the Committee had directed him to report the Bill without any amendment.

*Ordered*, That the Bill be read the third time To-morrow.

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The House resolved itself into a Committee to consider Bill (No. 79), An Act to amend The Loan and Trust Corporation Act, and, after some time spent therein, Mr. Speaker resumed the Chair; and Mr. Mahony reported, That the Committee had directed him to report the Bill without any amendment.

*Ordered*, That the Bill be read the third time To-morrow.

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The House resolved itself into a Committee to consider Bill (No. 44), An Act to amend The Trustee Act, and, after some time spent therein, Mr. Speaker resumed the Chair; and Mr. Mahony reported, That the Committee had directed him to report the Bill without any amendment.

*Ordered*, That the Bill be read the third time To-morrow.

The House resolved itself into a Committee to consider Bill (No. 45), An Act to amend The Pawnbrokers Act, and, after some time spent therein, Mr. Speaker resumed the Chair; and Mr. Mahony reported, That the Committee had directed him to report the Bill without any amendment.

*Ordered*, That the Bill be read the third time To-morrow.

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The House resolved itself into a Committee to consider Bill (No. 46), An Act to amend The Conveyancing and Law of Property Act, and, after some time spent therein, Mr. Speaker resumed the Chair; and Mr. Mahony reported, That the Committee had directed him to report the Bill without any amendment.

*Ordered*, That the Bill be read the third time To-morrow.

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The House resolved itself into a Committee to consider Bill (No. 116), An Act respecting the Windsor-Walkerville Vocational School Act, and, after some time spent therein, Mr. Speaker resumed the Chair; and Mr. Mahony reported, That the Committee had directed him to report the Bill without any amendment.

*Ordered*, That the Bill be read the third time To-morrow.

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The House resolved itself into a Committee to consider Bill (No. 96), An Act to amend The Medical Act, and, after some time spent therein, Mr. Speaker resumed the Chair; and Mr. Mahony reported, That the Committee had directed him to report the Bill without any amendment.

*Ordered*, That the Bill be read the third time To-morrow.

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The House resolved itself into a Committee to consider Bill (No. 114), An Act to amend The Interpretation Act, and, after some time spent therein, Mr. Speaker resumed the Chair; and Mr. Mahony reported, That the Committee had directed him to report the Bill with certain amendments.

*Ordered*, That the Amendments be taken into consideration forthwith.

The Amendments, having been read the second time, were agreed to.

*Ordered*, That the Bill be read the third time To-morrow.

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Mr. Nesbitt moved, seconded by Mr. Morrison,

That in the opinion of this House the Government should give early and serious consideration to an amendment to the law governing the submission of tenders and the awarding of contracts for the construction of buildings, highways and other works for the purpose of improving the standards and conditions of building and construction work generally, to provide that general contractors when submitting tenders shall submit a list of their sub-contractors and the amount of each such sub-tender and proving that the successful tenderer shall award the sub-contracts according to the list so submitted.

And a Debate having ensued, after some time it was

*Ordered*, That the Motion be referred to the Standing Committee on Labour for consideration and report.

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On Motion by Mr. Henry, seconded by Mr. McCrea,

*Ordered*, That the name of Mr. Robb be added to the Committee on Labour.

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The House then adjourned at 5.55 p.m.

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TUESDAY, MARCH 20TH, 1934

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PRAYERS.

3 O'CLOCK P.M.

Mr. McCrea from the Standing Committee on Legal Bills presented their First Report, which was read as follows and adopted:—

Your Committee begs to report the following Bills without amendment:—

Bill (No. 52), An Act to amend The Registry Act.

Bill (No. 84), An Act to amend The Division Courts Act.

Your Committee has carefully examined the provisions of Bill (No. 64), An Act to amend The Marriage Act, and Bill (No. 117), An Act to amend The Workmen's Compensation Act, and recommends that these Bills be not further proceeded with.

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On Motion by Mr. Price, seconded by Mr. Robb,

*Ordered*, That Rule No. 60 of this House be suspended in this, that the time for presenting Reports of Committees on Private Bills be extended up to and inclusive of Tuesday, the Twenty-seventh day of March next.

The following Bills were severally introduced and read the first time:—

Bill (No. 128), intituled “An Act to amend The Wages Act.” *Mr. Wilson* (Windsor, East).

*Ordered*, That the Bill be read a second time To-morrow.

Bill (No. 129), intituled “An Act to amend The Division Courts Act.” *Mr. Wilson* (Windsor, East).

*Ordered*, That the Bill be read a second time To-morrow.

Bill (No. 130), intituled “An Act to amend The Execution Act.” *Mr. Wilson* (Windsor, East).

*Ordered*, That the Bill be read a second time To-morrow.

Bill (No. 131), intituled “An Act to amend The Division Courts Act.” *Mr. Wilson* (Windsor, East).

*Ordered*, That the Bill be read the second time To-morrow.

Bill (No. 132), intituled “An Act respecting Woodmen’s Employment Investigation.” *Mr. Finlayson*.

*Ordered*, That the Bill be read a second time To-morrow.

Bill (No. 133), intituled “An Act to amend The Weed Control Act.” *Mr. Hogarth*.

*Ordered*, That the Bill be read a second time To-morrow.

Bill (No. 134), intituled “An Act for Raising Money on the Credit of the Consolidated Revenue Fund.” *Mr. Henry*.

*Ordered*, That the Bill be read the second time To-morrow.

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The Order of the Day for resuming the Adjourned Debate on the Amendment to the Motion, that Mr. Speaker do now leave the Chair, and that the House resolve itself into the Committee of Supply, having been read,

The Debate was resumed,

And after some time,

The Amendment, that:—

“This House condemns the Government for its failure to reduce taxation and deplores the enormous addition each year to the Public Debt.”



Having been put was lost on the following Division:—

## YEAS

Baxter	Murray	Ross
Bragg	McQuibban	Sangster
Campbell	Newman	Simpson
Hipel	Nixon	Sinclair
Mackay	Oliver	Slack
Medd	Robertson	Taylor
		Tweed—19.

## NAYS

Acres	Jutten	Price
Aubin	Kennedy	(Parkdale)
Baird	(Temiskaming)	Raven
Bell	Kennedy	Reid
Berry	(Peel)	Richardson
Black	Kenning	Robb
Blanchard	Lancaster	St. Denis
Burt	Laughton	Sanderson
Calder	Lyons	Scholfield
Case	Mahony	Seguin
Challies	Martin	Shaver
Clark	(Hamilton, West)	Shields
Colliver	Martin	Singer
Cooke	(Brantford)	Smith
Craig	Moore	(Essex, South)
Davis	Morrison	Smith
Ecclestone	Murphy	(Greenwood)
Ellis	(St. Patrick)	Spence
Finlayson	Murphy	Staples
Fraleigh	(Beaches)	Stedman
Freele	McArthur	Strickland
Graham	McBrien	Vaughan
Hambly	McCrea	Waters
Harrison	McLean	Willson
Heighington	McMillen	(Niagara Falls)
Henry	McNaughton	Wilson
Hill	Nesbitt	(Windsor, East)
Hogarth	Oakley	Wilson
Honeywell	Poisson	(Lincoln)
Ireland	Price	Wright—79.
Jamieson	(York, West)	

## PAIRS

Blakelock	Graves
Munro	Macaulay

The main Motion having then been put was carried on the following Division:—

## YEAS

Acres	Jutten	Price
Aubin	Kennedy	(Parkdale)
Baird	(Temiskaming)	Raven
Bell	Kennedy	Reid
Berry	(Peel)	Richardson
Black	Kenning	Robb
Blanchard	Lancaster	St. Denis
Burt	Laughton	Sanderson
Calder	Lyons	Scholfield
Case	Mahony	Seguin
Challies	Martin	Shaver
Clark	(Hamilton, West)	Shields
Colliver	Martin	Singer
Cooke	(Brantford)	Smith
Craig	Moore	(Essex, South)
Davis	Morrison	Smith
Ecclestone	Murphy	(Greenwood)
Ellis	(St. Patrick)	Spence
Finlayson	Murphy	Staples
Fraleigh	(Beaches)	Stedman
Freele	McArthur	Strickland
Graham	McBrien	Vaughan
Hambly	McCrea	Waters
Harrison	McLean	Willson
Heighington	McMillen	(Niagara Falls)
Henry	McNaughton	Wilson
Hill	Nesbitt	(Windsor, East)
Hogarth	Oakley	Wilson
Honeywell	Poisson	(Lincoln)
Ireland	Price	Wright—79.
Jamieson	(York, West)	

## NAYS

Baxter	Murray	Ross
Bragg	McQuibban	Sangster
Campbell	Newman	Simpson
Hipel	Nixon	Sinclair
Mackay	Oliver	Slack
Medd	Robertson	Taylor
		Tweed—19.

## PAIRS

Graves  
Macaulay

Blakelock  
Munro

The House, according to Order, resolved itself into the Committee of Supply.

*(In the Committee.)*

*Resolved*, That there be granted to His Majesty, for the services of 1935, the following sums:—

1. To defray the expenses of the Lieutenant-Governor's Office..	\$7,200 00
2. To defray the expenses of the Speaker's Office.....	293,600 00
3. To defray the expenses of the Law Clerk's Office.....	12,580 00
4. To defray the expenses of the Clerk of the Crown-in-Chancery's Office.....	3,600 00
5. To defray the expenses of the Main Office, Prime Minister's Department.....	39,620 00
6. To defray the expenses of the Executive Council Office.....	11,525 00
7. To defray the expenses of the Tourist and Publicity Bureau.	50,725 00
8. To defray the expenses of the Civil Service Commissioner's Office.....	15,602 00
9. To defray the expenses of the King's Printer Office.....	33,725 00
11. To defray the expenses of the Main Office, Attorney-General's Department.....	86,800 00
12. To defray the expenses of the Supreme Court of Ontario....	67,600 00
13. To defray the expenses of the Judges of Surrogate.....	1,600 00
14. To defray the expenses of the Deputy Clerks of the Crown and Local Registrars.....	25,000 00
15. To defray the expenses of the Shorthand Reporters.....	30,400 00
16. To defray the expenses of the Office of Toronto and York Crown Attorney.....	20,925 00
17. To defray the expenses of the Office of Land Titles.....	32,600 00
18. To defray the expenses of the Office of Local Masters of Titles	30,300 00
19. To defray the expenses of the Office of Drainage Trials.....	4,500 00
20. To defray the expenses of the Audit of Criminal Justice Account's Branch.....	858,900 00
21. To defray the expenses of the Office of Public Trustee.....	57,725 00
22. To defray the expenses of the Office of Fire Marshal.....	70,750 00
23. To defray the expenses of the Office of Inspector of Legal Offices.....	28,300 00
24. To defray the expenses of the Law Enforcement Branch (Provincial Police).....	921,763 00
25. To defray the expenses of the Ontario Securities Commission	39,475 00
26. To defray the expenses of the Workmen's Compensation Board.....	100,000 00
27. To defray the expenses of the Main Office, Insurance Department.....	67,345 00
28. To defray the expenses of the Main Office, Education Department.....	80,275 00
29. To defray the expenses of the Legislative Library.....	17,775 00
31. To defray the expenses of the Inspection of Schools.....	561,200 00
32. To defray the expenses of the Departmental Examinations...	294,675 00
33. To defray the expenses of the Text Books.....	59,000 00
34. To defray the expenses of the Training Schools.....	114,700 00

35. To defray the expenses of the Toronto Normal and Model Schools.....	\$125,725 00
36. To defray the expenses of the Ottawa Normal and Model Schools.....	80,560 00
37. To defray the expenses of the London Normal School.....	40,750 00
38. To defray the expenses of the Hamilton Normal School.....	38,790 00
39. To defray the expenses of the Peterborough Normal School..	38,360 00
40. To defray the expenses of the Stratford Normal School.....	42,300 00
41. To defray the expenses of the North Bay Normal School....	38,915 00
42. To defray the expenses of the University of Ottawa Normal School.....	113,450 00
43. To defray the expenses of the Sturgeon Falls Model School..	28,600 00
44. To defray the expenses of the Sandwich Model School.....	13,675 00
45. To defray the expenses of the Embrun Model School.....	20,025 00
46. To defray the expenses of the High Schools and Collegiate Institutes.....	422,150 00
47. To defray the expenses of the Public Libraries.....	93,900 00
48. To defray the expenses of the Vocational Education.....	1,518,150 00
49. To defray the expenses of the Ontario Training College for Technical Teachers.....	20,150 00
50. To defray the expenses of the Superannuated Teachers.....	20,300 00
51. To defray the expenses of the Provincial and other Universities.....	1,808,100 00
52. To defray the expenses of the Belleville School for the Deaf..	153,625 00
53. To defray the expenses of the Brantford School for the Blind	83,824 00
54. To defray the expenses of the Monteith Northern Academy..	43,300 00
55. To defray the expenses of the Main Office and Branches, Lands and Forests Department.....	244,850 00
56. To defray the expenses of the Agents Branch, Lands and Forests Department.....	88,000 00
57. To defray the expenses of the Foresters and Scalers Branch, Lands and Forests Department.....	130,000 00
58. To defray the expenses of the Provincial Parks Branch, Lands and Forests Department.....	65,050 00
59. To defray the expenses of the Forestry Branch, Lands and Forests Department.....	896,325 00
60. To defray the expenses of the Surveys Branch, Lands and Forests Department.....	80,775 00
61. To defray the expenses of the Colonization Roads Branch, Northern Development Department.....	471,025 00

Mr. Speaker resumed the Chair; and Mr. Mahony reported, That the Committee had come to several Resolutions; also, That the Committee had directed him to ask for leave to sit again.

*Ordered*, That the Report be received To-morrow.

*Resolved*, That the Committee have leave to sit again To-morrow.

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The House then adjourned at 11.30 p.m.



WEDNESDAY, MARCH 21st, 1934

PRAYERS.

3 O'CLOCK P.M.

On Motion by Mr. Strickland, seconded by Mr. Richardson,

*Ordered*, That leave be given to introduce a Bill intituled "An Act to amend The Assessment Act," and that the provisions of Rules 36 and 56 of this House be suspended in so far as they apply to this motion.

The following Bills were severally introduced and read the first time:—

Bill (No. 135), intituled "An Act to amend The Assessment Act." *Mr. Strickland*.

*Ordered*, That the Bill be read the second time To-morrow.

Bill (No. 136), intituled "An Act respecting Pipefitters." *Mr. Robb*.

*Ordered*, That the Bill be read a second time To-morrow.

Bill (No. 137), intituled "The Provincial Elections (Public Meetings) Act, 1934." *Mr. Tweed*.

*Ordered*, That the Bill be read a second time To-morrow.

Bill (No. 138), intituled "An Act to amend The Representation Act, 1933." *Mr. Finlayson*.

*Ordered*, That the Bill be read the second time To-morrow.

Bill (No. 139), intituled "An Act to amend The Northern Development Act." *Mr. Finlayson*.

*Ordered*, That the Bill be read a second time To-morrow.

Bill (No. 140), intituled "An Act to amend The Liquor Control Act." *Mr. Price* (Parkdale).

*Ordered*, That the Bill be read the second time To-morrow.

The following Bills were read the third time and were passed:—

Bill (No. 17), An Act respecting the City of St. Thomas.

Bill (No. 31), An Act respecting the Town of Harriston.

Bill (No. 35), An Act respecting the Town of Orillia.

Bill (No. 36), An Act respecting the Town of Southampton.

Bill (No. 39), An Act respecting the City of Ottawa.

Bill (No. 40), An Act respecting the Township of Cornwall.

Bill (No. 41), An Act respecting the Township of Cornwall and the Town of Cornwall.

Bill (No. 62), An Act to amend The Partnership Registration Act.

Bill (No. 45), An Act to amend The Pawnbrokers Act.

Bill (No. 116), An Act respecting the Windsor-Walkerville Vocational School.

Bill (No. 96), An Act to amend The Medical Act.

Bill (No. 114), An Act to amend The Interpretation Act.

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Mr. Baxter asked the following Question (No. 96):—

1. What fees and payment have been made to Frank Regan for legal services for all Departments of the Ontario Government during 1931, 1932 and 1933. 2. What accounts and in what amounts did he render to the Ontario Government and all Departments thereof during the above-mentioned years. 3. Has Mr. Frank Regan a war record.

The Honourable the Prime Minister replied as follows:—

1. None during the fiscal years mentioned. 2. *Re* Dorland Enquiry. An account for \$6,000.00 was rendered by Mr. Regan on October 25th, 1933. It was allowed and paid at \$2,500.00 in full on November 7th, 1933. 3. No information.

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Mr. Robertson asked the following Question (No. 102):—

1. (a) What contracts for primary power have been entered into by the H.E.P.C. from the Nipigon developments, with the paper industry. (b) What is the amount of each contract. (c) What is the price of each contract. 2. (a) What contracts for secondary power have been entered into by the H.E.P.C. from the Nipigon developments. (b) To what companies delivered. (c) What is the price per horsepower.

The Honourable Mr. Cooke replied as follows:—

1. (a) The Great Lakes Paper Company, The Guarantee Investment Cor-

poration, Limited, of Montreal, Quebec (assigned to The Nipigon Corporation, Limited). (b) The Commission considers it would be a breach of confidence to give data on matters in which others are involved both financially and otherwise. It could not justify the divulging of information that one of its customers might necessarily require to keep confidential in order to protect itself against competition. Such contracts of the Commission are subject to call and open to the Government auditors for a private report. (c) Answered by (b). 2. (a) The National Trust Company, Receiver and Manager of the Great Lakes Paper Company, Limited; the Provincial Paper Company, Limited, and the Abitibi Power and Paper Company, Limited, Thunder Bay mill in Port Arthur. (b) Same as 1 (b). (c) Same as 1 (b).

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Mr. Simpson asked the following Question (No. 106):—

1. How many Old Age Pensioners had their pensions reduced, and what was the total amount of such reductions for the last fiscal year. 2. How many Old Age Pensioners had their pensions completely cut off, and what was the total amount of saving on these cancelled pensions during the last fiscal year. 3. What was the name or names of the Inspector or Inspectors operating in the District of Muskoka during the last fiscal year for the Old Age Pension Board.

The Honourable the Minister of Public Welfare replied as follows:—

1. 1,310, \$52,348.50. 2. 718, \$74,200.00. 3. J. R. Vaughan.

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Mr. McQuibban asked the following Question (No. 108):—

1. Have all the creditors of the Ontario Power Service Corporation who had contracts for the development of the plant been paid. 2. If not, to whom are payments due and what amounts.

The Honourable Mr. Cooke replied as follows:—

1. No. 2. The amounts have not yet been settled.

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Mr. McQuibban asked the following Question (No. 110):—

1. What has been the total cost of the Leaside Transformer Station to date. 2. How much power is transmitted from Quebec sources to this station. 3. How much power from each company.

The Honourable Mr. Cooke replied as follows:—

1. \$7,093,696.45 to February 28th, 1934. 2. For the fiscal year 1932-33 the maximum 20-minute coincident peak was 396,783 horsepower. 3. For the fiscal year 1932-33:

	20-Minute Peak
Gatineau Power Company.....	270,777
Ottawa Valley Power Company.....	94,504
Beauharnois Power Company.....	77,748
MacLaren Quebec Power Company.....	21,448

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Mr. Baxter asked the following Question (No. 111):—

1. Did the Hydro-Electric Power Commission float a loan in February or March, 1934. 2. What are the particulars of any such loan. 3. To whom were the bonds sold and through what agency.

The Honourable Mr. Cooke replied as follows:—

1. No, but the Hydro-Electric Power Commission did issue \$9,000,000 of 4½ per cent. bonds due 1938, dated February 1st, 1933, for the purpose of refunding \$6,067,268 at par of Toronto Power debenture stock payable in sterling, and the redemption of the first mortgage gold bonds of the Electrical Development Company, amounting to \$3,271,500, due March 1st, 1933. \$6,000,000 of the bonds were sold at the time of issue and \$3,000,000 were sold on February 14th, 1934. 2. Answered by No. 1. 3. In February, 1934, the remaining \$3,000,000 Hydro-Electric Power Commission bonds due 1938 were sold by the Commission direct to the Bank of Montreal.

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Mr. Hutchinson asked the following Question (No. 114):—

1. What month and year was the installation of steamfitting and plumbing work completed as per contract in East Block addition. 2. Who was Inspector of such installation work. 3. Are said Inspectors still in employ of Public Works Department.

The Honourable the Prime Minister replied as follows:—

1. December, 1932. 2. John Sharp on steamfitting; Sidney J. Spall and F. E. Joslin on plumbing. 3. Yes.

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Mr. Hutchinson asked the following Question (No. 115):—

1. What was the total revenue of the Boiler Inspection Branch in each of the years 1929-30-31-32 and 33.

The Honourable the Minister of Health and Labour replied as follows:—

1929, \$25,167.15; 1930, \$20,136.84; 1931, \$16,012.20; 1932, \$12,623.66; 1933, \$12,219.99.



Mr. Hutchinson asked the following Question (No. 116):—

1. Were designs or drawings and specifications approved by the Steam Boiler Inspection Branch, covering welded steam pipe installation in Geo. Oakley plant at Carlaw Avenue, Toronto. 2. If so, on what date.

The Honourable the Minister of Health and Labour replied as follows:—

1. Yes. 2. September 16th, 1930.

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Mr. Blakelock asked the following Question (No. 120):—

1. What position does Mr. S. Kirk hold at the Ontario Agricultural College, Guelph. 2. When was he appointed. 3. Was the position vacant. 4. If so, for how long and what caused the vacancy. 5. What salary does Mr. Kirk receive. 6. Are living quarters provided for him at the College. 7. Who recommended Mr. Kirk for the position. 8. How many applications were received for this position.

The Honourable the Prime Minister replied as follows:—

1. Floriculturist in Horticultural Department. 2. January 1st, 1934. 3. Yes. 4. Since October 2nd, 1932; death of former Floriculturist, G. Winton. 5. \$125.00 a month. 6. No. 7. Dr. G. I. Christie, President, Ontario Agricultural College. 8. Two.

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Mr. Simpson asked the following Question (No. 122):—

1. Is T. J. Patton of North Bay employed by the Government. 2. If so, in what Department. 3. What is his salary. 4. What are his duties. 5. What are the expenses of Mr. Patton since he has been employed by the Government.

The Honourable the Prime Minister replied as follows:—

1. No. 2, 3, 4 and 5, Answered by the reply to question No. 1.

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On Motion of Mr. Murray, seconded by Mr. Campbell,

*Ordered*, That there be laid before this House a Return showing copies of all correspondence and communications received or forwarded by any person or organization to the Minister of Lands and Forests or to any other Minister of the Ontario Government, relating to the Resolution passed by this House, April 14th, 1924, as to wages in contracts for the sale of timber, or pulpwood, or for the development of water power.

On Motion of Mr. Murray, seconded by Mr. Campbell,

*Ordered*, That there be laid before this House a Return showing copies of all correspondence regarding the dismissals and superannuations of all Park Rangers in Algonquin Park since 1930.

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The following Bills were severally read the second time:—

Bill (No. 119), The Northern Ontario Appropriation Act, 1934.

Referred to a Committee of the Whole House To-morrow.

Bill (No. 124), An Act to amend The Unemployment Relief Act, 1933.

Referred to a Committee of the Whole House To-morrow.

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The House resolved itself into a Committee to consider Bill (No. 121), An Act to amend The Co-operative Marketing and Loan Act, and, after some time spent therein, Mr. Speaker resumed the Chair; and Mr. Mahony reported, That the Committee had directed him to report the Bill without any amendment.

*Ordered*, That the Bill be read the third time To-morrow.

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The House resolved itself into a Committee to consider Bill (No. 115), An Act to amend The Mining Act, and, after some time spent therein, Mr. Speaker resumed the Chair; and Mr. Mahony reported, That the Committee had directed him to report the Bill without any amendment.

*Ordered*, That the Bill be read the third time To-morrow.

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The House, according to Order, again resolved itself into the Committee of Supply.

*(In the Committee.)*

*Resolved*, That there be granted to His Majesty, for the services of 1935, the following sums:—

62. To defray the expenses of the Main Office and Branches, Mines Department.....	\$212,875 00
63. To defray the expenses of the Gas and Oil Well Inspectors, Mines Department.....	8,500 00
64. To defray the expenses of the Fuel Controller's Office, Mines Department.....	500 00

65. To defray the expenses of the Sulphur Fumes Arbitrator, Mines Department.....	\$5,000 00
66. To defray the expenses of the Temiskaming Testing Laboratories, Mines Department.....	17,000 00
67. To defray the expenses of the Mining Recorders Offices, Mines Department.....	43,500 00
68. To defray the expenses of the Draughtsman's Office, North Bay, Mines Department.....	6,500 00
69. To defray the expenses of the Main Office, Game and Fisheries Department.....	96,750 00
70. To defray the expenses of the Districts, Game and Fisheries Department.....	248,600 00
71. To defray the expenses of the Bird Farms, Game and Fisheries Department.....	15,000 00
72. To defray the expenses of the Experimental Fur Farms, Game and Fisheries Department.....	15,000 00
73. To defray the expenses of the MacDiarmid, Game and Fisheries Department.....	5,300 00
74. To defray the expenses of the Biological and Fish Culture Branch, Game and Fisheries Department.....	144,450 00
75. To defray the expenses of the Wolf Bounty, Game and Fisheries Department.....	60,000 00
90. To defray the expenses of the Main Office, Health Department	128,175 00
91. To defray the expenses of the District Officers of Health Branch, Health Department.....	36,600 00
92. To defray the expenses of the Maternal and Child Hygiene and Public Health Nursing Branch, Health Department.....	83,425 00
93. To defray the expenses of the Dental Service Branch, Health Department.....	24,100 00
94. To defray the expenses of the Inspection of Training Schools for Nurses Branch, Health Department.....	12,375 00
95. To defray the expenses of the Preventable Diseases Branch, Health Department.....	312,600 00
96. To defray the expenses of the Industrial Hygiene Branch, Health Department.....	52,000 00
97. To defray the expenses of the Sanitary Engineering Branch, Health Department.....	44,300 00
98. To defray the expenses of the Laboratory Branch, Health Department.....	106,250 00
99. To defray the expenses of the Laboratory Divisions Branch, Health Department.....	51,000 00
100. To defray the expenses of the Public Health Education Branch, Health Department.....	28,625 00
101. To defray the expenses of the Main Office, Grants, etc., General Hospitals and Charities, General Expenses, Ontario Hospitals.....	2,057,100 00
102. To defray the expenses of the Brockville Hospital.....	383,751 00
103. To defray the expenses of the Cobourg Hospital.....	143,708 00
104. To defray the expenses of the Hamilton Hospital.....	460,285 00
105. To defray the expenses of the Kingston Hospital.....	399,778 00
106. To defray the expenses of the London Hospital.....	496,620 00
107. To defray the expenses of the Mimico Hospital.....	397,200 00

108. To defray the expenses of the Orillia Hospital.....	\$543,192 00
109. To defray the expenses of the Penetanguishene Hospital.....	219,351 00
110. To defray the expenses of the Toronto Hospital.....	344,232 00
111. To defray the expenses of the Whitby Hospital.....	564,396 00
112. To defray the expenses of the Woodstock Hospital.....	206,871 00
113. To defray the expenses of the Toronto Psychiatric Hospital..	122,812 00
127. To defray the expenses of the Main Office, Provincial Treasurer's Department.....	135,580 00
128. To defray the expenses of the Controller of Revenue's Office, Provincial Treasurer's Department.....	210,075 00
129. To defray the expenses of the Board of Censors, Provincial Treasurer's Department.....	23,815 00
130. To defray the expenses of the Motion Picture Bureau, Provincial Treasurer's Department.....	75,000 00
131. To defray the expenses of the Public Records and Archives, Provincial Treasurer's Department.....	18,125 00
132. To defray the expenses of the House Post Office, Provincial Treasurer's Department.....	120,525 00
133. To defray the expenses of the Provincial Auditor's Office....	104,950 00
134. To defray the expenses of the Main Office, Provincial Secre- tary's Department.....	61,130 00
135. To defray the expenses of the Registrar-General's Branch, Provincial Secretary's Department.....	55,600 00
136. To defray the expenses of the Main Office, Reformatories and Prisons Branch.....	78,825 00
137. To defray the expenses of the Board of Parole.....	22,500 00
138. To defray the expenses of the Ontario Reformatory, Guelph.	788,000 00
139. To defray the expenses of the Ontario Reformatory, Mimico.	163,025 00
140. To defray the expenses of the Mercer Reformatory, Toronto.	230,500 00
141. To defray the expenses of the Industrial Farm, Burwash....	316,000 00
142. To defray the expenses of the Industrial Farm, Fort William.	46,800 00
121. To defray the expenses of the Main Office, Grants, Refuges, Orphanages and Charities, Public Welfare Department.....	331,525 00
122. To defray the expenses of the Children's Aid Branch, Public Welfare Department.....	118,168 00
123. To defray the expenses of the Ontario Training School for Boys (Bowmanville), Public Welfare Department.....	95,109 00
124. To defray the expenses of the Ontario Training School for Girls (Galt), Public Welfare Department.....	31,634 00
125. To defray the expenses of the Mothers' Allowances Commis- sion Public Welfare Department.....	1,827,900 00
126. To defray the expenses of the Old Age Pensions Commission, Public Welfare Department.....	2,822,925 00

Mr. Speaker resumed the Chair; and Mr. Mahony reported, That the Committee had come to several Resolutions; also, That the Committee had directed him to ask for leave to sit again.

*Ordered*, That the Report be received To-morrow.

*Resolved*, That the Committee have leave to sit again To-morrow.

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The House then adjourned at 5.50 p.m.



## THURSDAY, MARCH 22ND, 1934

PRAYERS.

3 O'CLOCK P.M.

Mr. McLean presented the Report of the Standing Committee on Fish and Game, which was read as follows and adopted:—The Standing Committee on Fish and Game begs leave to present to the House the Minutes of their meetings during the current Session and recommend that they be printed as an appendix to the Journals of the House.

Mr. Finlayson presented the Report of the Standing Committee on Municipal Law, which was read as follows and adopted:—

Your Committee have carefully considered the provisions of Bills (Nos.) 71, 80, 93, 94, 97, 99, 100, 103, 109 and 113, to amend The Municipal Act, and such of their provisions as have been approved of have been embodied in a Bill intituled "The Municipal Amendment Act, 1934."

Your Committee have carefully considered the provisions of Bills (Nos.) 54, 72, 73, 76, 83, 104, 108, 111 and 135, to amend The Assessment Act, and such of their provisions as have been approved of have been embodied in a Bill intituled "The Assessment Amendment Act, 1934."

Your Committee have carefully considered the following Bills and beg to report the same without amendment:—

Bill (No. 110), An Act to amend The Public Parks Act.

Bill (No. 120), An Act to amend The Ditches and Watercourses Act.

Your Committee have also carefully considered Bills (Nos.) 59, 75, 92, and 107, to amend The Municipal Act, and Bills (Nos.) 105 and 106, to amend The Assessment Act; Bill (No.) 112, to amend The Local Improvement Act, and Bill (No.) 98, to amend The Public Libraries Act, and recommend that the same be not further proceeded with.

The following Bills were severally introduced and read the first time:—

Bill (No. 141), intituled "The Federal District Commission Act, 1934."  
*Mr. Honeywell.*

*Ordered,* That the Bill be read a second time To-morrow.

Bill (No. 142), intituled "An Act to amend The Power Commission Act."  
*Mr. Cooke.*

*Ordered,* That the Bill be read the second time To-morrow.

Bill (No. 143), intituled "An Act to amend The Deserted Wives' and Children's Maintenance Act." *Mr. Price* (Parkdale).

*Ordered*, That the Bill be read a second time To-morrow.

Bill (No. 144), intituled "The Municipal Amendment Act, 1934." *Mr. Finlayson*.

*Ordered*, That the Bill be read the second time To-morrow.

Bill (No. 145), intituled "The Assessment Amendment Act, 1934." *Mr. Finlayson*.

*Ordered*, That the Bill be read the second time To-morrow.

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The following Bills were severally read the second time:—

Bill (No. 118), An Act to amend The Insurance Act.

Referred to a Committee of the Whole House To-morrow.

Bill (No. 125), An Act to amend The Minimum Wage Act.

Referred to a Committee of the Whole House To-morrow.

Bill (No. 135), An Act to amend The Assessment Act.

Referred to the Committee on Municipal Laws.

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On Motion by Mr. Henry, seconded by Mr. Price,

*Ordered*, That the names of Mr. Reid and Mr. Nesbitt be added to the Committee on Labour.

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The Provincial Secretary presented to the House, by command of The Honourable the Lieutenant-Governor:—

Annual Report of Department of Mines, Ontario, 1933. (*Sessional Papers No. 4.*)

Also, Annual Report upon Hospitals for Mentally Ill, Mentally Subnormal and Epileptic for period ending October 31st, 1933. (*Sessional Papers No. 15.*)

Also, Report of the Department of Game and Fisheries, Ontario, 1933. (*Sessional Papers No. 9.*)

Also, Report of the Commissioner of The Ontario Provincial Police for year ending October 31st, 1933. (*Sessional Papers No. 51.*)

Also, Report of the Prisons and Reformatories of the Province of Ontario for year ending October 31st, 1933. (*Sessional Papers No. 18.*)

Also, Regulations and Orders-in-Council made under the authority of The Department of Education Act or of Acts relating to Public Schools, Separate Schools or High Schools. (*Sessional Papers No. 32.*)

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The House then adjourned at 5.40 p.m.

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FRIDAY, MARCH 23RD, 1934

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PRAYERS.

3 O'CLOCK P.M.

The following Bills were severally introduced and read the first time:—

Bill (No. 146), intituled "An Act to amend The Game and Fisheries Act." *Mr. Challies.*

*Ordered*, That the Bill be read a second time on Monday next.

Bill (No. 147), intituled "An Act to amend The Crown Timber Act." *Mr. Finlayson.*

*Ordered*, That the Bill be read the second time on Monday next.

Bill (No. 148), intituled "An Act to amend The Magistrates Act." *Mr. Price* (Parkdale).

*Ordered*, That the Bill be read the second time on Monday next.

Bill (No. 149), intituled "An Act respecting Subsidies for Seed Grain." *Mr. Kennedy* (Peel).

*Ordered*, That the Bill be read a second time on Monday next.

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Mr. Bragg asked the following Question (No. 63):—

1. What pulp and/or paper companies have supplied the Government with the information required of them under Clause 9, Section 3, of The Pulpwood Conservation Act, 1929.

The Honourable the Minister of Lands and Forests replied as follows:—

Abitibi Power & Paper Company, Ltd., Iroquois Falls, Sault Ste. Marie, Espanola, Sturgeon Falls, Smooth Rock Falls, Fort William; Beaver Wood Fibre Company, Ltd.; J. R. Booth, Ltd.; H. T. Briscoe and Son; The Bronson Company; Canada Power and Paper Corporation; Canoe Lake Lumber Company, Ltd.; Carpenter-Hixon Company, Ltd.; Central Paper Company; Continental Wood Products Company, Ltd.; Driftwoods Lands and Timber, Ltd.; Dryden Paper Company, Ltd.; George Farlinger; Fort Francis Pulp and Paper Company, Ltd.; Great Lakes Power and Paper Company, Ltd.; Gill and Fortune; Hawk Lake Lumber Company, Ltd.; Kenora Paper Mills, Ltd.; Laurentide Ottawa Company, Ltd.; Marshay Lumber Company, Ltd.; Newaygo Company, Ltd.; Nipigon Corporation, Ltd.; Ontario Paper Company, Ltd.; Pearce Company, Ltd.; Pine Lake Lumber Company; Porcupine Pulp and Lumber Company, Ltd.; Provincial Paper, Ltd., Milles Roches, Thorold, Georgetown, Georgetown, Port Arthur; Ben. Roen; Shevlin Clark Lumber Company, Ltd.; Sioux Lookout Lumber Company, Ltd.; Spruce Falls Power and Paper Company, Ltd.; Howard Smith Paper Mills, Ltd.; Standard Chemical Company, Ltd.; Thunder Bay Paper Company, Ltd.

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Mr. Simpson asked the following Question (No. 67):—

1. How many cords of pulpwood have, in each case, been cut on the following pulp concessions for each year since they were granted by the Crown: (a) The Long Lake Pulp and Timber Limit, approximately 3,400 square miles, situated in the eastern portion of the District of Thunder Bay and south of the National Transcontinental Railway, granted to John Homer Black by agreement, dated August 4th, 1921. (b) The area south and west of Lake Nipigon, approximately 1,416 square miles, granted to Provincial Paper Mills, Limited, by agreement, dated February 27th, 1926. 2. How many cords of pulpwood have been cut from the Pic River Pulp and Timber Limit and the Black Sturgeon River Pulp and Timber Limit for each of the years 1926 to 1933, inclusive. 3. By whom are the concessions or limits referred to in 1 and 2, at present, held. 4. What is the Government's estimate of the quantity of spruce, balsam, and Jack pine pulpwood still standing upon the combined area of the concessions and limits referred to in 1 and 2. 5. What is the Government's estimate, in acres, of the area still containing merchantable spruce, balsam, and Jack pine pulpwood covered by the concessions and limits referred to in 1 and 2.

The Honourable the Minister of Lands and Forests replied as follows:—

1. (a) None. (b) 1926-27, 18,810 cords; 1927-28, 30,254 cords; 1928-29, 17,673 cords; 1929-30, 32,318 cords; 1930-31, none; 1931-32, none; 1932-33, 19,781 cords. 2. None. 3.(1) Long Lake Pulp and Timber Limit, Pic River Pulp and Timber Limit, Black Sturgeon Pulp and Timber Limit, Receivers of Great Lakes Paper Company (2) Area south and west, Lake Nipigon, Provincial Paper, Ltd. 4. 11,686,519 cords. 5. 4,566,840 acres.



Mr. Robertson asked the following Question (No. 69):—

1. Are there any cutover areas on the Crown Lands, cut since September 1st, 1927, and prior to September 1st, 1933, whereon the pulpwood, tie, or sawlog operations have not been conducted to the "satisfaction of the Minister" as provided for in the license, concession, or permit under which the right to cut was granted. If so, by whom was the cutting done and what action was taken to have waste paid for or damage made good. 2. What amounts have been collected for each of the years referred to in 1 on account of waste or damage committed by operators. 3. Have any penalties been imposed for damage inflicted upon young timber growth or for the creation of unnecessary or unwarranted fire hazard by operators during the past five years. If so, what amount has been collected on account of such penalties in each of the past five years. 4. Was the four square miles in the southwest portion of the Township of Osborne, District of Nipissing, which was licensed to the Spanish River Pulp and Paper Mills, Limited, November 1st, 1926; File No. 9476, cut to the "satisfaction of the Minister."

The Honourable the Minister of Lands and Forests replied as follows:—

1. There are no cutover areas upon which the cutting was completed between September 1st, 1927, and prior to September 1st, 1933, which have not been "to the satisfaction of the Minister." No licensed areas disposed of under conditions requiring operations to be conducted to "the satisfaction of the Minister" are allowed to be abandoned until cutting is completed in accordance with conditions. 2. Nil. 3. Nil. (Certain "trespass" penalties have been imposed during the period for overstepping lines or cutting without proper renewal of license or prior to granting of technical authority.) 4. Yes. (The Company asked permission to abandon limit in 1927, but this was refused as a quantity of pulpwood still remained uncut, all of which the Company were required to take out except a small scattered portion which the Department required to remain, as the cutting of it would interfere with the young growth needing protection.)

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Mr. McQuibban asked the following Question (No. 86):—

1. (a) Has the H.E.P.C. acting for the Government contracted to sell power to any other companies other than Northern Power Corporation and the Northern Quebec Power Corporation. (b) If so, what companies. (c) When will delivery take place. (d) How much power is contracted for in each case. (e) What is the price of each contract at time of delivery.

The Honourable Mr. Cooke replied as follows:—

1. (a) Yes. (b) Contracts executed: (1) Abitibi Electric Development Company, Ltd., Abitibi Canyon; (2) Abitibi Power and Paper Company, Ltd., Espanola; (3) Abitibi Power and Paper Company, Ltd., Iroquois Falls; (4) His Majesty the King—Province of Ontario—"Burwash Farm," replacing original contract with Wahnapiatae Power Company, Ltd.; (5) Falconbridge Nickel Mines, Ltd., replacing and increasing contract with Wahnapiatae Power Company, Ltd.; (6) Howey Gold Mines, Ltd., Patricia District; (7) Huronian Com-

pany, Ltd., and International Nickel Company of Canada, Ltd., Sudbury.  
 (8) Hollinger Consolidated Gold Mines, Ltd., Young-Davidson Properties.  
 (9) Pickle Crow Gold Mines, Ltd.; (10) Central Patricia Gold Mines, Ltd.;  
 (11) Abitibi Power and Paper Company, Ltd., Smooth Rock Falls.

(c)—	Date of expected or actual delivery	
1. Abitibi Electric Development Company, Ltd., Abitibi		
Canyon.....	May	24th, 1933
2. Abitibi Power and Paper Company, Ltd., Espanola....	May	24th, 1933
3. Abitibi Power and Paper Company, Ltd., Iroquois		
Falls.....	October	23rd, 1933
4. His Majesty the King, Province of Ontario, Burwash		
Farm, replacing original contract with Wahnapiatae		
Power Company, Ltd.....	February	1st, 1932
5. Falconbridge Nickel Mines, Ltd., replacing and increas-		
ing contract with Wahnapiatae Power Company....	January	1st, 1933
6. Howey Gold Mines, Ltd., Patricia District.....	February	1st, 1930
7. Huronian Company, Ltd., and International Nickel		
Company, Ltd., Sudbury.....	October	1st, 1931
8. Hollinger Consolidated Gold Mines, Ltd., Young-		
Davidson Properties.....	May	1st, 1934
9. Pickle Crow Gold Mines, Ltd., and Central Patricia		
Gold Mines, Ltd.....	May	1st, 1935
10. Central Patricia Gold Mines.....	May	1st, 1935
11. Abitibi Power and Paper Company, Ltd., Smooth Rock		
Falls.....	June	1st, 1934

(d) The Commission considers it would be a breach of confidence to give data on matters in which others are involved both financially and otherwise. It could not justify the divulging of information that one of its customers might necessarily require to keep confidential in order to protect itself against competition. Such contracts of the Commission are subject to call and open to the Government auditors for a private report. (e) Same answer as (d).

Mr. Baxter asked the following Question (No. 93):—

1. What fees and travelling expenses (a) have been paid Peter White, K.C., or the firm of which he has been a member, by the Ontario Government or any Department thereof from 1925 to 1933, both years inclusive. (b) What sums in each of the above-mentioned years were paid. (c) What sums for fees and legal services were paid to him or his firm during the above-mentioned years (by year) by the Ontario Hydro-Electric Power Commission. (d) During the above-mentioned years in what criminal proceedings did Peter White, K.C., appear as counsel for the Attorney-General of Ontario and what fees in each of these proceedings was he paid.

The Honourable the Prime Minister replied as follows:—

(a) \$47,522.79. (b) 1925, \$5,824.00; 1926, \$2,200.00; 1927, \$2,965.84; 1928, \$5,884.45; 1929, \$7,100.00; 1930, \$11,876.15; 1931, \$2,000.00; 1932,

\$10,325.60; 1933, \$1,346.75. (c) 1931, \$1,776.13; 1932, \$2,532.17; 1933, \$12,146.73. (d) 1925: York Assizes, \$5,824.00; 1926: Rex vs. E. V. Donnelly, \$1,200.00; 1927: Hastings Assizes, \$770.30; Lincoln Assizes, \$553.80; Simcoe Assizes, \$693.75; Wentworth Assizes, \$380.85; 1928: Welland Assizes, \$717.10; 1929: York Assizes, \$6,500.00; Rex vs. Brown (alias Sullivan), Rex vs. McKibbon, Rex vs. McLeod, appeal, 600.00; 1930: Rex vs. Harcourt, appeal, \$2,500.00; Rex vs. C. J. Hamilton, \$5,243.35; Halton Assizes, \$933.50; Perth Assizes, \$391.05; York Assizes, \$1,392.00; Wentworth Assizes, \$849.25; 1931: Nil; 1932: Simcoe Assizes, \$2,629.95; Carleton Assizes, \$4,549.20; Brant Assizes, \$1,342.40; 1933: Renfrew Assizes, \$346.75.

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Mr. Taylor asked the following Question (No. 100):—

1. For what particular properties of the Hydro-Electric Power Commission was the money used that was made available by Special Warrant passed October 31st, 1933, "To pay for losses on the operation of Northern Ontario properties of the Hydro-Electric Power Commission." 2. Was this expenditure placed in Capital Account. If so, why.

The Honourable Mr. Cooke replied as follows:—

1. All northern properties operated by the Commission as trustee for the Government in the Nipissing, Sudbury, Abitibi and Ear Falls Districts to the end of 1932. 2. Yes, because the sum is a capital advance to the Hydro-Electric Power Commission in its capacity as trustee for the Province repayable to the Province with interest.

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Mr. Newman asked the following Question (No. 105):—

1. (a) When was Sheriff Vrooman appointed Sheriff at Lindsay. (b) At what salary. 2. (a) When was E. E. W. McGaffey appointed as Assistant. (b) At what salary. (c) By whom was salary paid. 3. (a) When was Sheriff Patterson appointed. (b) At what salary. 4. (a) Did E. E. W. McGaffey continue as Assistant. (b) At what salary. (c) By whom was salary paid. 5. (a) When did E. E. W. McGaffey resign. 6. (a) Was Herb McFadyen appointed in E. E. W. McGaffey's place. (b) At what salary. (c) By whom was salary paid before the decease of the late Sheriff Patterson. 7. Why are the positions of Sheriff and County Court Clerk at Lindsay not filled.

The Honourable the Attorney-General replied as follows:—

1. (a) Assumed office, October 1st, 1914; Order-in-Council, June 25th, 1914. (b) No salary—fee office. 2. (a) October 26th, 1926. (b) \$75.00 per month. (c) By the Sheriff out of fees of office. 3. (a) Appointed by Order-in-Council, January 11th, 1927. Actually assumed office, April 19th, 1927. (b) No salary—fee office. 4. (a) Yes. (b) \$480.00 per annum. (c) Out of fees of office. 5. (a) December 30th, 1931. 6. (a) Yes. (b) \$40.00 per month (half time). (c) Out of fees of office. 7. The persons to be appointed have not yet been selected.



Mr. Hutchinson asked the following Question (No. 117):—

1. Has any accusation or charge been made to the Honourable the Minister of Labour, or the Prime Minister, that registered boiler design No. 2229-5 is based on registered design No. 2008-5. 2. Has it been stated in writing or otherwise that an official in the Steam Boiler Branch, Department of Labour, copied design No. 2008-5. 3. If so, is the official in the Steam Boiler Branch, Department of Labour, regarding whom this allegation or charge is made, still retained in the service of the Government.

The Honourable the Minister of Health and Labour replied as follows:—

1. Yes. 2. Yes. 3. Yes.

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Mr. Robertson asked the following Question (No. 119):—

1. What was the cost of operating the Trenton Motion Picture Studio during the fiscal year of 1933. 2. What number of persons were employed during 1933. 3. What amount of wages was paid in 1933. 4. What amount was spent for (a) fuel; (b) power; (c) repair. 5. What work was done, and what was the total footage made in 1931. 6. Where are the films being used. 7. Could the films be made at a much lower cost by a private commercial firm.

The Honourable the Prime Minister replied as follows:—

1. \$8,685.18. 2. Four continuously; two part-time. 3. \$462.60 wages and \$4,231.25 in salaries. 4. (a) \$593.63; (b) \$347.44; (c) Repairs, \$224.36. 5. Motion picture photography, developing, printing and film laboratory work. Machine shop work on sound reproducing units installed in various Ontario Government Institutions; 16,600 feet of negative; 101,360 feet of positive. 6. Films are placed in Film Library of Motion Picture Bureau and circulated to Churches, Y.M.C.A., Schools, Agricultural Societies, etc. In 1933 such distribution was as follows: 14,861 reels in Ontario; 100 reels in British Isles; 54 reels in U.S.A. 7. No.

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Mr. Newman asked the following Question (No. 121):—

1. What was the amount of the timber dues owing to the Government by the Abitibi Company at the time it went into liquidation. 2. Have these dues been paid (a) in full; (b) in part. 3. Did the Minister of Lands and Forests make a reduction in the timber dues to the Abitibi Company. 4. If so, what was the amount of this reduction and for what purpose was it made.

The Honourable the Minister of Lands and Forests replied as follows:—

1. \$252,138.65. 2. (a) Yes; (b) See answer to (a). 3. No, not on pulpwood. Only on small quantity of log timber to the extent of 60 per cent. of Crown dues amounting to \$324.66, this being a general reduction applicable to log operations during season of 1931-32.



Mr. Blakelock asked the following Question (No. 124):—

1. Was an Order-in-Council passed rescinding the decrease on salaries of Civil Servants put in effect on April 1st, 1933. 2. If so, what date was such an Order-in-Council passed. 3. Was said Order-in-Council made retroactive. If so, to what date. 4. What was the amount paid to the Civil Servants in back pay under this Order-in-Council and on what date was such payment made.

The Honourable the Prime Minister replied as follows:—

1. Yes; by the same Order-in-Council the scale of assessments put into effect on January 1st, 1932, was revived, and is now in operation under which all salaries are assessed amounts varying from 2 per cent. to 25 per cent. 2. December 19th, 1933. 3. Yes; to November 1st, 1933. 4. Total amount of previous collections refunded to the Service was \$89,428.55. Payments were made on various dates between December 20th, 1933 and January 31st, 1934.

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Mr. Newman asked the following Question (No. 126):—

1. Does the Department of Lands and Forests exercise control over the cutting of pulpwood on pulp concessions with respect to the amount to be cut by the concessionnaire each year. 2. What amounts of pulpwood have each of the following companies agreed to cut upon the Crown lands for the season of 1933-34: (a) The Abitibi Power and Paper Company, Iroquois Falls mill; (b) The Abitibi Power and Paper Company, Smooth Rock Falls mill; (c) The Spruce Falls Company, Kapuskasing mill; (d) The Abitibi Power and Paper Company, Sault Ste. Marie mill; (e) The Abitibi Power and Paper Company, Espanola mills; (f) The Great Lakes Paper Company, Fort William mill; (g) The Provincial Paper Mills, Limited; (h) The Thunder Bay Paper Company; (i) The Fort William Paper Company; (j) The Minnesota and Ontario Paper Company, Fort Frances mill; (k) The Minnesota and Ontario Paper Company, Kenora mill; (l) The Dryden Pulp and Paper Company.

The Honourable the Minister of Lands and Forests replied as follows:—

1. Yes, through the control exercised by the Department over the areas on which cutting is to take place. There is no minimum or maximum quantity of pulpwood fixed in the Agreements. But Agreements made since 1925 provide that before cutting operations commence the concessionnaire must obtain permission of the Minister for the area within the concession on which the cutting for the coming season shall take place. 2. Companies referred to in (a) to (l) both inclusive, do not obligate themselves to cut any specific amount from Crown areas, but contemplate completing a cut for the season of 1933-34 as follows: (a) 55,000 cords; (b) 10,000 cords; (c) 144,000 cords; (d) 10,500 cords; (e) Nil; (f) 15,000 cords; (g) 30,000 to 35,000 cords; (h) Nil; (i) Nil; (j) Nil; (k) 50,000 to 52,000 cords; (l) Nil.

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Mr. Robertson asked the following Question (No. 128):—

1. What amount has been paid by the Government for insurance to Russell & Russell Limited for each of the following years: 1930, 1931, 1932 and 1933.

The Honourable the Prime Minister replied as follows:—

1. Fiscal year. 1930, Nil; 1931, \$7,900.36; 1932, \$13,519.24; 1933, \$15,878.40.

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Mr. McCrea from the Standing Committee on Legal Bills presented their Second Report, which was read as follows and adopted:—

Your Committee has carefully examined the provisions of Bill (No. 90), An Act to amend The Workmen's Compensation Act, and Bill (No. 78), An Act to amend The Highway Traffic Act, and recommends that these Bills be not further proceeded with.

Your Committee in deciding that Bill (No. 78), An Act to amend The Highway Traffic Act, should not be proceeded with at the present Session, in view of the importance of the subject matters dealt with by the Bill desires to draw to the attention of the Assembly and of the public the following facts:—

This Bill, introduced by Mr. Robertson (Huron, North), was intended to abolish actions against owners and drivers of motor vehicles for injuries to or death of passengers in such vehicles and has evoked a great deal of interest before your Committee and elsewhere.

At common law a passenger in a vehicle whether or not he is a gratuitous passenger is, in the absence of any contractual limitation, entitled to sue for and collect damages from the driver of the vehicle if the latter's negligent operation results in injury to the passenger.

In days prior to the advent of the motor vehicle this right gave rise to little or no abuse and was seldom, if ever, utilized to practise a fraud upon a third person.

Furthermore, there was little need for owners or drivers of horse-drawn vehicles to effect insurance as a protection against claims on the part of a gratuitous passenger in such vehicles, as the risk of such claims being preferred was negligible.

The advent of the motor vehicle has revolutionized more than the prevailing mode of transportation. It has given rise to other problems, and among them is that which results from the innumerable claims for damages presented by persons who have been injured while passengers in motor vehicles, or presented by relatives in case of the death of a person who has died from injuries received while a passenger in such a vehicle.

While the introduction of the motor vehicle did not in the beginning give any evidence that passenger claims would become numerous or indicate that any

abrogation or amendment of the common law might become necessary, yet the occurrences of recent years clearly establish that parliamentary review of the matter may be required.

The evidence is abundant that claims for damages presented by gratuitous passengers against the owners or drivers of motor vehicles have reached proportions of a somewhat amazing extent.

In Ontario perhaps only 50 per cent. of owners of motor vehicles protect themselves against public liability risks in the operation of their vehicles, but when the statistical records are examined it is found that of all public liability claims placed before insurance companies by insured owners nearly one-third of them are claims made in respect of injuries to gratuitous passengers.

As might well be expected the rapid increase of passenger claims has required insurance companies to put such claims on a basis which will result in premiums being charged to adequately compensate the risk assumed. Ontario in recent years with all the provinces of Canada, other than Quebec, has adopted uniform laws relating to motor vehicle insurance. One of the provisions of such law is the establishment of a standard public liability policy which does not include coverage of the passenger risk. If insurance against passenger claims is desired it has to be covered as an additional risk for which an extra premium is payable. Until very recent years no additional premium was charged for passenger risk and then at first a nominal premium of 50 cents only was charged. In 1934 this has been increased to \$2 and statistical records indicate that this premium will in all probability have to be raised to about \$6.

The facts establish clearly that in too many instances collusive claims are being made by passengers solely by reason of the owner being insured, and it is the growth of that class of claim which has very largely created the abuse, although there are many instances where gratuitous passengers have preferred unmerited claims against an uninsured owner.

When the position and rights of a gratuitous passenger are considered there are strong reasons to be advanced for depriving him of any right of action against the owner or driver of the motor vehicle in which he was riding. Generally speaking it is not easy to see why a "guest" should seek to sue his "host" because of any injury he may sustain through some fault of his host.

But to abrogate the common law and deprive a passenger of all claims for damages against an owner or driver of a motor vehicle would undoubtedly eliminate meritorious claims, because there are occasions when a "guest" could not be said to have assumed all the risks to which his "host" might put him, merely because he accepted an invitation to ride in a motor vehicle with his host.

Your Committee therefore does not feel it is warranted at the present time in approving Bill (No. 78) and thereby recommending that the common law right of action by a passenger be abolished.

Several alternative suggestions have been considered by your Committee. Among them being:—



- (a) Reduction in the amount which as a maximum a passenger might recover by way of damages.
- (b) Reduction in the maximum amount of passenger risk insurance which could be obtained.
- (c) Elimination of passenger risk insurance.
- (d) Enacting a law that passengers assume all risks of the journey, unless they prove conclusively that the particular risk which occasioned the accident was not among those assumed.
- (e) Limitation of a passenger's right of recovery to cases of gross negligence or criminal neglect.

Your Committee finds that in some of the other provinces and in some of the states of the United States legislative action affecting passenger claims has recently been taken or is now being put into effect. Sufficient time has not yet elapsed to determine which if any of the remedies adopted or being adopted will prove salutary to remove the abuse which has arisen.

The matter is one which requires very careful study and consideration, and the opinion of your Committee is that while the introduction by Mr. Robertson of Bill (No. 78) is timely and will serve a very useful purpose in directing public attention to the need of correcting the abuses and evils which have arisen, it is not sufficiently clear as yet which method or remedy is the best one to apply to eradicate the evil.

Your Committee recommends that the widest publicity be given in every way to the whole matter in the hope that such publicity will not only assist in mitigating and removing the evil, but also with a view to concentrating opinion towards adoption of some particular method which might be enacted to prevent not only a growth of the evil but its gradual elimination without interfering in any way with meritorious claims. For such purpose the problem should be studied during 1934 with a view to its further consideration when the Legislative Assembly sits in 1935.

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Mr. McCrea from the Standing Committee on Legal Bills presented the report of the Committee's deliberations in connection with the charges made by one, Daniel McCaughrin and referred to the Committee by the Assembly for consideration on February 5th, 1934, as follows:—

On Monday, February 5th, 1934, the House of Assembly for the Province of Ontario, referred the following matter to the Standing Committee on Legal Bills for investigation and report:—

“That the charges set out in a statutory declaration made by one, Daniel McCaughrin, as published in *The Globe* newspaper in its issue of Friday, December 22nd, 1933, be referred to the Standing Committee on Legal Bills, with full power to fully investigate these charges, to summons



witness, to direct the production of all papers and documents relating to the charges, and to report to this House with all convenient speed the evidence in connection therewith."

Your Committee met and heard evidence in connection with this matter, on Wednesday, February 7th, Friday, February 9th, and Tuesday, February 13th, 1934, and now beg to report to the House the evidence as directed. In reporting this evidence, in order that it may follow along in chronological order, your Committee has dealt with it under the following headings:—

- (1) The appointment of Mr. McCaughrin as Magistrate;
- (2) Complaints received by departmental officials, and the resulting curtailment of jurisdiction;
- (3) The Magistrate's record as to efficiency, and suggestions as to his resigning;
- (4) Events leading up to retirement, and the meeting of Mr. Finlayson and Mr. McCaughrin on November 11th, 1933;
- (5) What took place on November 11th, 1933;
- (6) Events following the meeting of November 11th;
- (7) The meeting of Mr. Gover and Mr. McCaughrin at Mr. Finlayson's office;
- (8) The arrangement made at the meeting of November 25th, in Mr. Finlayson's office;
- (9) Mr. McCaughrin's return to Orillia, and his consultation with Mr. Harvie;
- (10) The preparation of the declaration;
- (11) The declaration reaching the Globe office;
- (12) Mr. McCaughrin's conference with Mr. Bayly;
- (13) Events following the interview with Mr. Bayly;
- (14) Interview by the *Star* reporter with Mr. McCaughrin;
- (15) Subsequent events not touched upon;
- (16) Why arrangement had not been acted upon;
- (17) Former precedents dealing with allowances for retiring officials;
- (18) The Declaration.

#### I—APPOINTMENT

The evidence discloses that Daniel McCaughrin was appointed by Order-in-Council, dated June 17th, 1929, Police Magistrate for the Town of Orillia, the Townships of Orillia and Oro in the County of Simcoe, together with the Townships of Rama, Mara and Thorah, including the Village of Beaverton, in the County of Ontario, and the Townships of Longford, Dalton, Digby and Carden, in the County of Victoria.

The salary paid by the Province for his duties outside of the Town of Orillia, was fixed at \$1,300.00.

Shortly after his appointment, he requested that an allowance be paid him by the Government to take care of clerical assistance in the office, and for rent. As a result of this, an Order-in-Council was passed, dated the 25th day of November, 1929, which allowed to Mr. McCaughrin \$200.00 per annum to cover clerical assistance and office rent, in so far as his duties as Police Magistrate outside of the Town of Orillia was concerned.

## II—COMPLAINTS

1928—

(1) A letter was received by the Attorney-General's Department, dated October 1st, 1928, from Mr. C. E. Grant, Clerk of the Town of Orillia (Exhibit 9), advising that a resolution that had been passed by the Council of Orillia on the 1st of October, 1928, asking that the Magistrate be removed, as it was not in the interest of enforcement of law and proper administration of justice that he be retained in office. As a result of this communication, a report was prepared by the then Solicitor of the Attorney-General's Department, Mr. A. N. Middleton, in which it is stated that "Mr. McCaughrin is not what could be considered in any way a good Police Magistrate, . . . . . , (This report is Exhibit No. 10). Following this report, a letter was forwarded to the Clerk of the Town of Orillia by the Solicitor, Attorney-General's Department, dated October 26th, 1928, stating that "No charge of wrong doing had been made against the Magistrate, but if any person would assume the responsibility of making such a charge, giving the facts relied upon in writing, the same would have the consideration of the Department. There appears to be nothing further in connection with this complaint.

1929—

(2) The next matter that arose is contained in Departmental File No. 2389 (1929), and consists of complaints from J. A. McGibbon, Crown Attorney for the County of Ontario, regarding Magistrate McCaughrin, stating that he does not think the Magistrate is competent—that he does not want him to try any more cases before him—and asking that his jurisdiction be confined to Orillia and the County of Simcoe, and that Magistrate Bick be placed in charge of the northern part of Ontario County—and that the Magistrate had been appointing solicitors to act for the Crown Attorney without his consent.

In answer to an inquiry from Mr. Humphries, Solicitor for the Attorney-General, regarding the appointing of other solicitors without the consent of the Crown Attorney, Mr. McCaughrin in a letter dated July 2nd, 1929, says:—

"I would not even think of appointing if it were in my power, any solicitor to act for him, and I quite assure you I never have."

This was communicated to Mr. McGibbon, who in a letter to Mr. Humphries, of August 15th, 1929, states in effect that he had so appointed other solicitors, and also states that he thinks that Mr. McCaughrin is most incompetent.

As a result of this, it appears that the Magistrate was advised to make it a point to advise Mr. McGibbon, the Crown Attorney, of cases that required his attention and attendance that came before him in the County of Ontario (for these letters, see Exhibit No. 12).

1930—

(3) In 1930, following the complaints of Mr. McGibbon, the question of jurisdiction of Mr. McCaughrin in Ontario County was dealt with by Order-in-Council dated June 13th, 1930, which in effect takes away from Mr. McCaughrin, jurisdiction in the Township of Thorah and the Village of Beaverton, and transfers this jurisdiction to Colonel Bick of Cannington; and by the same Order, concurrent jurisdiction in the Township of Mara in the County of Ontario, was conferred on Colonel Bick, along with Mr. McCaughrin (Exhibit No. 14).

1932—

(4) On the 14th of December, 1932, Colonel Denison, Inspector of Legal Offices, writes the Attorney-General to the effect that he is having complaints from the Crown Attorney of the County of Ontario, regarding the behaviour of Police Magistrate McCaughrin, and suggests that jurisdiction in Rama and Mara, in the County of Ontario, be taken from him, and transferred to Colonel Bick. (Exhibit No. 15.)

1933—

(5) On the 31st of May, 1933, Mr. McGibbon wrote the Department requesting that something be done about the jurisdiction. (Exhibit No. 16.) As a result of this, an Order-in-Council was passed, dated the 6th day of June, 1933, rescinding the jurisdiction of Mr. McCaughrin in the Townships of Rama and Mara, in the County of Ontario, and transferring this to Colonel Bick (see Exhibit No. 17). After the passing of this Order-in-Council, Mr. McCaughrin had no longer any jurisdiction in the County of Ontario.

### III—RECORDS AS TO EFFICIENCY AND SUGGESTIONS AS TO HIS RESIGNING

In addition to the documentary and other evidence dealt with in Item II above, evidence was given regarding the inefficiency of Mr. McCaughrin as a Magistrate, and also suggestions as to his retiring. In this regard, the evidence shows as follows:—

(1) Colonel Denison, who has been Inspector of Legal Offices since the 1st day of September, 1931, states that in 1931 he inspected the office of Mr. McCaughrin, and felt that he was not the proper type of man to be Magistrate. He did not think he had any legal ability, nor proper poise in Court—he considered him impetuous and argumentative, and that complaint had been made to him by Mr. Tom Brown, Chairman of the Police Commission for Orillia.

In 1932, when he inspected the office, he found there was quarelling with people in the town, and quarrelling with some of the solicitors.

That in November, 1932, Mr. McGibbon, the Crown Attorney for Ontario County, complained to him that Mr. McCaughrin had dealt with cases without letting the Crown Attorney know anything about it—and that Mr. McCaughrin's jurisdiction in Ontario County should be taken away from him. This was subsequently accomplished by Order-in-Council dated June 6th, 1933, already referred to in Exhibit No. 6.

That he had advised the Attorney-General and the officials in the Department that Mr. McCaughrin be retired.

He also states in his evidence that he received quite frank "razzing" from the people of Orillia about the Police Magistrate.

(2) Mr. Finlayson, in his evidence, states that he takes the responsibility of recommending Mr. McCaughrin for the position; that it was pressed upon him by the Returned Men of Orillia.

He also states that, since he was appointed, there had been a series of complaints. That the first trouble that he got into, in which he had to intervene, was a series of disputes with Mr. Tudhope (now Judge Tudhope of Brockville).



Then Mr. W. A. Boys, K.C., of Barrie, came to him complaining that Mr. McCaughrin's conduct in Court was so bad that he was going to start an inquiry.

The next trouble was a series of complaints by Mr. McGibbon, the Crown Attorney for Ontario County (now Judge McGibbon of Lindsay), that he had seen Mr. McCaughrin and told him about these complaints, and that it could not be put up with any longer—to which Mr. McCaughrin replied that he did not want to hold the position indefinitely, but that he did not want to be kicked out—that he would resign in a few months when it cools down. Mr. Finlayson told Mr. McCaughrin that that would not do, and the proposal was that he lose his jurisdiction in Ontario County, to which he agreed—and further stated that he would later resign. Mr. Finlayson further stated that he told him the trouble was getting far beyond any control, and that it had become quite apparent that he could not adapt himself to the work—could not learn the work—and his disposition is hopeless as a Magistrate.

Reference was also made by Mr. Finlayson to certain statements that Mr. McCaughrin made in disposing of some liquor case against one "Purvis," who had been dismissed as a Provincial Constable—that while the Magistrate may have been justified in dismissing him, yet in so doing he gave him a certificate of character, saying what a wonderful man he was, which was published in the papers. It was a joke all around Orillia, and made it very difficult to carry on the administration of justice when that sort of thing was being done.

(3) The Honourable Mr. Price, Attorney-General, in his evidence where he speaks about an interview he had with Mr. McCaughrin in December, 1933, states that he told Mr. McCaughrin that he had a very great number of complaints about him as Magistrate—that he had really been long suffering as Attorney-General—and if it had not been for the Veterans appealing to him personally—Mr. Finlayson appealing to him steadily on his behalf—that he would have retired him.

#### IV—EVENTS LEADING UP TO RETIREMENT AND THE MEETING ON NOVEMBER 11TH, MR. FINLAYSON AND MR. MCCAUGHRIN

The evidence of Mr. Finlayson shows that he recognized that Mr. McCaughrin was hopeless as a Magistrate, and that sooner or later had to be disposed of. The series of complaints, and the evidence of incompetency as disclosed by the evidence, and the attitude of the Inspector of Legal Offices and departmental officials in regard to this official, shows that the retirement of this official was desirable.

There is in evidence, the fact that Mr. Finlayson had discussed these various complaints with the Magistrate, and that Mr. McCaughrin had it pointed out him sometime before November, 1933, that he could not go on, and had suggested that he would resign. The evidence discloses that the matter must have been given some consideration, because the Inspector of Legal Offices, Colonel Denison, states that he told Mr. Gover, the Magistrate at Coldwater, in August, 1933, that he thought a change was likely to be made, and he hoped that he would be appointed for Orillia, as there were too many Magistrates in the County of Simcoe. The evidence does not disclose how Mr. McCaughrin had any idea of a consolidation of the offices, but he wrote a letter to the Attorney-General, dated the 8th of November, 1933 (Exhibit No. 5), in which he states that it had



been hinted to him that there may be a consolidation of some of the Magistrates jurisdiction in Ontario, such as Magistrate Gover's and his own. In this letter he also speaks about his financial position—that the statement that he has a good income was in error—that his house in Orillia was a small cottage—that he receives a monthly pension from the Army and the Canadian Pacific Railway, but they are not very great in amounts; also that he has five bonds at four per cent. He also states in this letter that if there be any probabilities of a consolidation, he would ask, if he be the unfortunate, to reduce his pay from the Province, or permit his remaining in the position until midsummer, as Mrs. McCaughrin has been an invalid since 1920.

Colonel Denison states in his evidence, that on the day before Remembrance Day, 1933, Mr. Finlayson rang him upon the telephone and told him he was going to Orillia, and would probably meet Mr. McCaughrin, as there may be something done about a change; and would it be satisfactory if Mr. Gover were appointed Magistrate for Orillia, to which Colonel Denison replied—eminently so and that he would be very pleased to see Gover take over.

Colonel Denison also states that he found Mr. Gover an exemplary Magistrate, that he was Secretary-Treasurer of the Police Magistrates' Association of Ontario.

It is also in evidence that Mr. Finlayson also spoke to Mr. Humphries a day or so before November 11th, 1933, about this Magistrate, and that Mr. Humphries told Mr. Finlayson that something would have to be done at Orillia—it cannot go on indefinitely the way it is; and that Mr. Finlayson should see Colonel Denison, the Inspector of Legal Offices.

#### V—THE MEETING AT ORILLIA ON NOVEMBER 11TH, 1933

The evidence shows that Mr. Finlayson met Mr. McCaughrin at Orillia in the Y.M.C.A. Building, on the 11th day of November, after the Remembrance Day services. Mr. Finlayson's evidence is, that in walking up the stairs in the Y.M.C.A. Building at Orillia, on November 11th, Mr. McCaughrin asked him, "What is this I hear about combining Coldwater and Orillia jurisdictions?" to which Mr. Finlayson replied that the Attorney-General's Department was very much in favour of it, and as he had a series of rows, that it would be a fine time to do it when he had no row on, and he could get out gracefully. To this Mr. Finlayson says, Mr. McCaughrin replied—"I told you I would resign and I never intended to hold it for a long time." They then entered a room in the building, and later Mr. McCaughrin asked Mr. Finlayson to come out of the room that he wanted to have a talk with him. Then they went out of the room, and Mr. McCaughrin said to him, "If I have to get out, I hope something can be done for me the way it was done for Mr. Cotter when he resigned."

Mr. Cotter had been Crown Attorney, Clerk of the Peace, and Local Master of the Supreme Court, for some sixty years; and at the time of his retirement was eighty-eight years of age, and had been ill—and an arrangement was made whereby the Government paid him a compassionate allowance of \$1,000.00, and his successor in office paid him one-half of the net proceeds of the offices up to the amount of \$3,500.00 during his lifetime.

Mr. Finlayson replied to Mr. McCaughrin that he did not know that Mr. Gover would take the position, and that he had never spoken to him. Mr. McCaughrin then told Mr. Finlayson that he had recently had some losses in stock, in which he had lost \$4,000.00, and if he could get that, he would be satisfied. Mr. Finlayson says he replied and said he knew nothing about Gover, as to whether he could pay \$4,000.00 or any amount. Mr. McCaughrin then said that he would take \$3,000.00—and Mr. Finlayson told him that he could not give it to him—that he had no control over it, and that there was no fund out of which it could be paid in Toronto. Mr. McCaughrin then said he would take \$3,000, and asked Mr. Finlayson if he would see him, to which Mr. Finlayson replied that he would see the Attorney-General, and find out if the thing could go through, but that first he should know whether McCaughrin was going to resign. Finally, Mr. Finlayson stated he would speak to Gover, to see if he would take the position, but that the amount Gover would pay, if any, was a matter between McCaughrin and Gover. Mr. McCaughrin asked Mr. Finlayson to see Gover.

Mr. McCaughrin, in his evidence, differs from Mr. Finlayson. He says that Mr. Finlayson said to him, "I think I can get you \$3,000 and that he never told him what for, or where the \$3,000 was coming from, and that he, McCaughrin, presumed that he was going to receive \$3,000, and when asked what for, replied, "God only knows; I don't." Mr. McCaughrin states also that nothing more was said—but Mr. Finlayson remarked that he would write him. Mr. McCaughrin also stated in his evidence, that when Mr. Finlayson said, "I think I can get you \$3,000," that he remarked, "Oh no—I would want \$4,000.00—I said that jokingly," and when asked what he wanted \$4,000.00 for, Mr. McCaughrin replied, "I do not know yet," and when asked what he thought Mr. Finlayson was referring to, said, "for the small salary I suppose I had been receiving."

#### VI—EVENTS FOLLOWING MEETING OF NOVEMBER 11TH, 1933

##### (1) *Letter, McCaughrin to Finlayson, November 13th*

On the 13th day of November, 1933, Mr. McCaughrin wrote a letter to Mr. Finlayson, in which he states that he overlooked telling Mr. Finlayson that he had written Thursday of last week to Colonel Price, that he had gotten some suggestion that there might be some changes in the jurisdiction. Also he states in that letter that he had to attend with Howard Gover, an executive meeting in Toronto on November 25th, and "I shall give you a call by which time you will be able to give me idea of developments."

Mr. Finlayson's evidence then is to the effect that he telephoned Gover, and asked him if he would accept Orillia jurisdiction. Nothing definite was arranged.

##### (2) *Meeting Gover and Finlayson, November 16th*

Mr. Finlayson, on the 16th of November, 1933, after attending the funeral of Mr. W. H. Tudhope, met Mr. Gover in Orillia. The evidence shows that at this conference, Mr. Finlayson told Mr. Gover that he did not think the Attorney-General would put up a dollar for McCaughrin, and when Gover mentioned \$1,500.00, spread over two years, Mr. Finlayson stated that any arrangement with Mr. McCaughrin was a matter entirely between themselves.

(3) *Letter, Finlayson to McCaughrin, November 18th*

As a result of the letter from McCaughrin of the 13th, stating he was coming down on the 25th, and the talk with Mr. Gover on the 16th, Mr. Finlayson wrote a letter to Mr. McCaughrin, dated November 18th, 1933 (Exhibit No. 5), stating he had made a little progress, and noting that both he and Gover coming down on the 25th—that perhaps they could arrange to come to his office to discuss the matter.

Mr. Finlayson explains that when he stated in the letter that he had made a little progress, he means that he had seen Gover and Gover was willing to go to Orillia.

VII—THE MEETING, NOVEMBER 25TH, MR. GOVER, MR. MCCAUGHRIN  
AND FINLAYSON IN FINLAYSON'S OFFICE

Mr. Finlayson states that they sent him word that they had their meeting in the morning, and could not come then, so 2.30 was arranged.

Mr. McCaughrin was waiting when he arrived, and Mr. Gover came in two or three minutes afterwards.

That it appeared that they had been on the train together talking the situation over and Gover was quite willing to take the Orillia position, and they talked about an allowance of \$1,500.00 spread over two years, and McCaughrin wanted more.

Mr. Finlayson states in evidence that he told them, "That is a matter between the two of you," and finally McCaughrin said that he would take \$2,000. Gover said, "Alright, if you want to make the \$500.00 over three years." Mr. Finlayson states that it did not take three minutes, because they talked it over in the morning, all preliminaries had been talked over on the way down.

Mr. McCaughrin in his evidence, states that at the meeting Mr. Finlayson said to Mr. Gover and himself, "You fellows get together and come to some arrangement"—that Mr. Gover said, "I can give you \$1,500.00," and he said "Nothing doing"—and in his evidence states that he was leading on, that he was not serious, he wanted to draw some more fire—Gover then said, "I will give you \$2,000.00, and that he had made some remark, but it was not accepting it.

Mr. McCaughrin also stated that Mr. Finlayson dictated the terms. Mr. Finlayson says that he did not dictate it all, but that he did dictate the provision that it was "subject to the approval of the Department of the Attorney-General, by whose officers the details are to be worked out."

VIII—THE ARRANGEMENT MADE AT THE MEETING, NOVEMBER 25TH, IN  
MR. FINLAYSON'S OFFICE

Two documents were prepared at this meeting:—

- (1) *The Resignation of Mr. McCaughrin* (Exhibit No. 19);
- (2) *The Agreement* (Exhibit No. 20).

Mr. Finlayson stated in evidence that he said to McCaughrin if he wanted to write his resignation and leave it with him, he could do so, and McCaughrin



passed the pad over to Gover, saying "You write better than I do"—and Gover wrote out the resignation (Exhibit No. 19), which was signed by Gover. The resignation was to take effect December 31st, and was signed by McCaughrin.

The agreement provides that as Mr. McCaughrin being about to resign the office of Police Magistrate of Orillia District, and it being desired to provide a retiring allowance, and there being no provision for such allowance, and it being proposed to combine the Orillia and Coldwater jurisdictions, that Gover provide a retiring allowance as follows:—

"Seven hundred and fifty dollars for 1934, payable quarterly, in advance.

"Seven hundred and fifty dollars for 1935, payable quarterly in advance, and five hundred dollars for 1936, payable quarterly in advance. First payment on or before January 1st, 1934.

"Subject to approval of the Department of the Attorney-General by whose officers the details are to be worked out. (Exhibit No. 20)."

*This was signed by Mr. Gover.*

Mr. Finlayson states in his evidence that the agreement was never intended as a contract, just as a basis to get something signed by each of them, if the Attorney-General approved of it, and the officers could work it out all right.

Mr. Finlayson also says in his evidence that McCaughrin raised the question of security, which was raised—and also some question about furniture in the office, and other minor details, and that McCaughrin told him about his pensions. Mr. Finlayson thinks this was the time that McCaughrin told him about his invalid wife and his \$70.00 pension from the C.P.R., and his \$60.00 pension from the Military.

#### IX—MCCAUGHRIN'S RETURN TO ORILLIA AND CONSULTATION WITH MR. HARVIE

##### (1) *Consultation with Mr. Harvie*

Mr. McCaughrin states that when he arrived home on the night of the 25th of November, he thought that it was the most shocking proposition that was ever offered to him in his life.

Mr. Harvie, a solicitor at Orillia, who was the Liberal candidate opposing Mr. Finlayson at the last election, stated that shortly after Mr. McCaughrin came back from the meeting of the 25th of November, he was consulted by Mr. McCaughrin, and was told what had taken place in Mr. Finlayson's office. McCaughrin stated to him he did not think he was getting enough.

Mr. Harvie states at this conference that there was not much discussion but he remembers saying it was unusual that Gover was paying the money for the retiring allowance.

The next matter that comes along is a letter from Mr. McCaughrin to Mr. Finlayson.



(2) *Letter, McCaughrin to Finlayson, December 2nd, 1933*

In this letter, Mr. McCaughrin mentioned that he has been thinking over the arrangement, and also points out that on Armistice Day, Mr. Finlayson stated he thought he could arrange \$3,000.00. That he cannot accept the \$2,000.00 offered, and that he wishes to retain his appointment until at least April, 1935, and to return the resignation and consider the same withdrawn.

(3) *Next Interview with Mr. Harvie*

Three or four days after the letter of the 2nd of December was sent, McCaughrin came to see Mr. Harvie, and showed a copy of it to Mr. Harvie. Mr. Harvie stated that it was discussed, and also stated that he thinks he said he ought to get three or four thousand dollars from the Government, because, at that time he decided he should not take anything that came direct from Gover.

(4) *Meeting with Attorney-General*

After Mr. Finlayson received Mr. McCaughrin's letter of December 2nd, Colonel Price states that Mr. Finlayson asked him to see McCaughrin and an appointment was made for December 6th, 1933.

Mr. Finlayson also states in his evidence that he telephoned to McCaughrin after receiving the letter of the 2nd of December, and asked him what he meant, that he had seen some interviews in the paper, saying he had resigned, and next day another paper saying he had put in a tentative resignation. Mr. Finlayson states in evidence that at this conversation he asked him what he wanted, and McCaughrin stated, "I am not satisfied with that money, I do not know how I got down to that—I was to get \$3,000," to which Mr. Finlayson replied that he had not promised him one cent—and further that he would not have anything further to do with him, and did not answer his letter. At this interview, Colonel Price states in his evidence that he told McCaughrin about the complaints he had about him, and that had it not been for the Veterans appealing to him personally, and Mr. Finlayson, that he would have retired him. That as it was, he had taken away part of his jurisdiction on two occasions, feeling that in time he might make a better Magistrate.

Colonel Price further stated in evidence, that in view of these facts and of Mr. Finlayson trying to do something for him, that the Department had been anxious that he would not be dismissed without some kind of provision, and that as he had only been there for six years, it was impossible to make any adequate provision like the Cotter case. That he had entered into these negotiations and apparently came to an arrangement, and it seemed inexplicable that he could write a letter like the one of December 2nd referred to.

The Attorney-General stated that he told him he was not going to consider it at all until he withdrew this letter. That he did not propose to discuss with him the situation at all after he made the statements in the letter. That if he felt like withdrawing the letter, and discussing the matter of his resignation and retirement on an open basis, without reflecting on anyone who has tried to do anything for him when he was inefficient, that he (the Attorney-General) would give consideration to it.

Mr. Price further stated that Mr. McCaughrin became quite apologetic, and stated that he felt probably if it goes through the Department, it would be alright.

It was then the Attorney-General stated to him that Mr. Humphries and the Inspector of Legal Offices look after these matters, and that it would be referred to them. Mr. McCaughrin then mentioned a month's leave, or that he be allowed to carry on for six months. To this proposition, the Attorney-General says that he stated to him that he would consider the whole matter; find out how far it had gone, and when Mr. Humphries came back from Windsor, where he was representing the Department in an investigation, he would have the matter brought before him and the Inspector of Legal Offices. He replied that that would be very good, and the Attorney-General was to let him know; as he was leaving he asked, "Could you not make that \$3,000.00?" To this Colonel Price states he said, "I think a man who is in for six years and if his successor, with the approval of the Department, is willing to make some kind of allowance of \$2,000.00, you are doing very well; but I will consider the whole thing from every angle."

(5) *Events after Meeting with Attorney-General*

(a) *The Attorney-General's Letter, December 12th*

The Attorney-General states in his evidence that he found out from the Department that Gover had been notified, as Mr. Finlayson intimated he had talked about renting a house, and he had gone on in good faith he felt when he wrote his letter to Mr. McCaughrin, dated December 12th, 1933 (Exhibit No. 5), that it would be quite unfair when everybody had acted in good faith, to allow someone to come along who just wanted to raise the ante—and he had made up his mind to accept his resignation, and he did. Also that Gover should be appointed, and he had papers drawn, but in none of those papers was anything said about the arrangement that he had arrived at, because that was for the Department to handle. The letter of December 12th, to Mr. McCaughrin, advises him that his resignation had been accepted; that he had been advised; Gover had been notified; and that the arrangement should be carried out, and that there be finality concerning it.

(b) *What McCaughrin did after receiving the Letter of the 12th*

Mr. Harvie in his evidence, stated that Mr. McCaughrin brought to him Colonel Price's letter of December 12th, and it was discussed, and they decided to write Mr. Price.

That he had given some suggestions about this letter, and that at that time Mr. McCaughrin and himself had decided to write this letter for the purpose of getting a reply from Mr. Price; that it was partly laying a trap.

Mr. Harvie also stated that it may be put this way, namely—"That while Mr. Price and Mr. Finlayson on their end were dealing with a man, they were trying to get some retiring allowance for, he was trying to entice them on to make what he had already made up his mind to was an improper proposal."

(c) *Acceptance of Mr. McCaughrin's Resignation*

Mr. Finlayson states that after the meeting in his office on November 25th, 1933, he tried to get Mr. Humphries so he could tell him about it, but he was away in Windsor on an Inquiry, and remained away a long time; but he saw the Attorney-General, and told him that the thing was getting arranged, and that the resignation would be put in now; but the other arrangement the Attorney-

General told him, will have to be worked out by Humphries, he was away, and it was not known when he would get back. Mr. Finlayson then sent the Resignation to the Attorney-General, and by Order-in-Council, dated the 12th day of December, it was accepted. (Exhibit No. 22).

*(d) Letter, December 14th, to Mr. Price*

Then comes the letter of December 14th, 1933, from Mr. McCaughrin to Mr. Price (Exhibit No. 5). In this letter, reference is made to the letter of December 2nd, which indicated the withdrawal of his resignation, and refusal to go through with the arrangement with Gover to pay him \$2,000.00, because on second thought his conscience would not permit him to accept the money. The letter also refers to Mr. Price's letter of the 12th, and states that he does not understand that part of it where it states there might be certain things he could be asked to do as special work, and before making a final decision would like to know what is meant. He further asks that a copy of the Agreement be sent him.

There was no reply sent to this letter.

Mr. Harvie also says in his evidence that at the "kick-off" the "chief dissatisfaction" of Mr. McCaughrin was "the amount," but that "later on he got worked up to the place where it was a trafficking in office."

*(e) Gover's Letter to McCaughrin, Dated December 14th, 1933*

Gover wrote a letter to McCaughrin, dated December 14th, 1933.

(Exhibit No. 5). In this letter he advised Mr. McCaughrin that he had received notice that the arrangement had been approved and encloses a cheque for \$187.50 to cover payment due on 2nd January, 1934, next, that Mr. Finlayson requested him to do so perhaps as an earnest of good faith, that he was glad to do it, though he did not think it would occur to Mr. McCaughrin that there would be any question about the arrangement being faithfully carried out. Also that no doubt they would be able to co-operate in the same happy relations which under all circumstances they had hitherto always maintained.

*(f) Mr. McCaughrin's Letter to Mr. Gover, December 16th, 1933*

The next piece of evidence is a letter from Mr. McCaughrin to Mr. Gover, dated December 16th, 1933, in reply to Mr. Gover's letter of December 14th. (Exhibit No. 5.)

Mr. Harvie states he saw Mr. McCaughrin after he had received the letter from Mr. Gover and had mailed back the cheque, and when he found out that McCaughrin had not kept a copy of that letter, he advised him that he had better write and confirm what he had said, and this letter of the 16th is the confirming letter.

It is stated in this letter that Gover and McCaughrin met Mr. Finlayson in his office at his request, November 25th. That he seemed to have a cut-and-dried arrangement, without reference to him (McCaughrin); that he dictated an agreement without consulting him as to terms; that he refused to have anything to do with it until it had been submitted to the Attorney-General; that he deems the arrangement traffic in an important office; that he didn't feel it was



proper, or even decent; that he could not accept money from Gover which would be tainted—nor permit himself to be a party to this nefarious traffic in Government appointments. And expresses himself as being amazed that he would even consider it, and that Gover would permit himself to be a party to it.

To this letter Mr. Gover replies by letter dated December 18th, 1933. (Exhibit No. 5.)

(g) *Letter from Mr. Humphries to Mr. McCaughrin dated December 18th, 1933*

This is a formal letter, simply enclosing a copy of the Order-in-Council of December 12th, accepting McCaughrin's resignation. (Exhibit No. 5 (12A).)

Mr. Harvie states in his evidence that he next saw Mr. McCaughrin when he brought up to him this letter from Mr. Humphries, enclosing the Order-in-Council. That the only thing that took place was that Mr. McCaughrin expressed his desire to expose the whole business.

#### X—THE PREPARATION OF THE AFFIDAVIT

A Statutory Declaration was filed, dated the 20th day of December, 1933. (Exhibit No. 1.)

Mr. Harvie states in his evidence that Mr. McCaughrin told him it was prepared by Harry Johnston, the Secretary of the Liberal Association in Ontario at Orillia. That Mr. McCaughrin told him he got in touch with Harry Johnston through Mr. George McLean of Orillia, who was the Liberal candidate in the last Federal election, defeated Liberal candidate.

That he was told the declaration had been typed in George McLean's office.

(a) *Taking the Declaration*

Mr. W. G. Bingham states in his evidence that 9 to 9.15 in the evening of the 20th day of December, 1933, Mr. George McLean phoned him that he had someone in his office who wanted an affidavit sworn. He met McCaughrin and another man he did not know, to whom he was not introduced, a stranger, and after making the affidavit into a Statutory Declaration with necessary changes, took Mr. McCaughrin's declaration to the same. He identifies Exhibit No. 1 as the document.

Mr. McCaughrin states that he met Harry Johnston in Mr. George McLean's office in Orillia on the 20th day of December, the night before he saw Mr. Bayly at the Parliament Buildings; that he gave the details and left it with Harry Johnston to make up its contents.

Harry Johnston was the man who went with Mr. McCaughrin to Bingham's office.

#### XI—THE DECLARATION REACHING THE GLOBE OFFICE

Mr. McCaughrin states he brought the declaration to Toronto with him on the 21st day of December, when he came to see Mr. Bayly, and he went with Harry Johnston in the morning before he came to see Mr. Bayly, to *The Globe* office and left it there, together with the correspondence, all of which was later published in the issue of *The Globe* of December 22nd and 23rd, 1933.



That Mr. Roebuck came into the *Globe* office during the checking over with Mr. Hudson, the Business Manager of the *Globe*, of the Declaration, but he had no conversation with him.

Mr. McIntosh, Assistant Managing Editor of the *Globe*, states that he was in Mr. Anderson's office; that Mr. McCaughrin, Mr. Harry Johnston and Mr. A. W. Roebuck were there talking about some of these documents about 6 o'clock in the evening of December 21st, 1933. Mr. McIntosh produced the declaration (Exhibit No. 1) and a file of correspondence. The documents had lain in the *Globe* office since they were brought there. (Exhibit No. 5 contains all the letters and documents.)

Mr. McIntosh says that he noticed that the declaration first started out to be an affidavit, and his recollection is that he asked Mr. Roebuck the difference between affidavit and declaration at the time.

## XII—CONFERENCE BY MCCAUGHRIN WITH MR. BAYLY

Sometime after receiving Mr. McCaughrin's letter of December 14th, Mr. Price in his evidence stated that he spoke to Mr. Bayly, that he had better see McCaughrin and see what had changed his attitude, and Mr. McCaughrin came to see Mr. Bayly on the 21st day of December, 1933.

Mr. McCaughrin stated that Mr. Bayly told him at the interview that he was commissioned to allow him to remain on the position for six months, and the contract would be returned and also the resignation. To which Mr. McCaughrin said he replied that he wanted nine months instead of six. Mr. Bayly replied that he could not promise, and Mr. McCaughrin then stated that "I will go home and consider the nine months." There was nothing definite—it was left at that.

When Mr. McCaughrin was in Mr. Bayly's office, he did not have the declaration with him—it was at the *Globe* office.

Mr. McCaughrin stated that in the morning when he went to the *Globe* office with the declaration and documents, he told Harry Johnston and the *Globe* officials to hold them, because he was going to see the Attorney-General to see if he could get this straightened out to his satisfaction, and if he could not and if he told them to publish them, then they were to publish them.

## XIII—EVENTS FOLLOWING THE INTERVIEW WITH MR. BAYLY

After the interview with Mr. Bayly and after Mr. McCaughrin had left Mr. Bayly's office, he states he went and saw Harry Johnston and they went to the *Globe* office and consented to the publication.

After the long and friendly interview with Mr. Bayly there was a difference of three months between them, McCaughrin wanted nine months and Mr. Bayly thought he could get six. The matter had not been settled and Mr. McCaughrin was asked why he did not wait until Mr. Bayly had told him whether his efforts were to be successful or not, to which he replied: "A very good reason and the reason is this: He said to me, 'I cannot promise you anything but I will do what I can.' I was not taking any chances on what would offer." Mr. McCaughrin also stated that if Mr. Bayly had settled with him for nine months right then that most likely that would have been an end to it.

## XIV—INTERVIEW BY THE STAR WITH MR. MCCAUGHRIN

In the issue of the *Toronto Star* of December 26th, 1933 (Exhibit No. 18) appears a statement given by Mr. McCaughrin to a reporter in reference to the statement of the Attorney-General, charging that Mr. McCaughrin was a double crosser, that he had the affidavit in his pocket when he was in to see Mr. Bayly, Mr. McCaughrin is reported as saying, "I never double crossed anyone in my life that I know of. He says that all the time I was in Mr. Bayly's office talking over the terms of my retirement that I had that affidavit in my pocket ready to give to the Liberals—that is not true for I had no such thing—the affidavit wasn't even prepared then."

On being asked about this Mr. McCaughrin states that he did not tell the *Star* that the affidavit was not prepared at the time that he was in Mr. Bayly's office. He further states that no one from the *Star* interviewed him about this question, and in answer to the question, "Then they fabricated this interview," answered, "I do not know where they got that but they did not get it from me."

Mr. Keith Munroe, a reporter for *The Star*, states that an interview did take place with Mr. McCaughrin, that he called him himself on the telephone telling him who he was and why he was calling and states that he remembers Mr. McCaughrin telling him that the affidavit was not prepared at the time he was in Mr. Bayly's office. The questions and answers as they appear in the evidence are as follows:—

Q. You told him it was *The Star* that was calling?

A. Yes, I explained to him that the Attorney-General had called him a "Double Crosser," saying that he had the papers prepared at the time he was in seeing Mr. Bayly.

Q. That was the gist of the interview, was it not?

A. That was all I called him for.

A. And his answer was what?

A. His first answer was, he said, "It is a lie, a foul dirty lie," and then a little later in the interview he asked me, he said, "I was a little too strong, I would rather not say that, I would just say it is a falsehood."

Q. Then your report continues that he said, "The affidavit was not even prepared then" at the time he was in Mr. Bayly's office?

A. Well, that is the whole reason I called him and asked him that.

Q. You remember him telling you distinctly that the "Affidavit was not prepared at the time he was in Mr. Bayly's office?"

A. Exactly, that is why he said "it was a lie, a foul, dirty lie." At least that is what I understood by his—

## XV—SUBSEQUENT EVENTS NOT TOUCHED ON

A. L. Church, Chief of Police of Orillia, states he had two conversations with Mr. McCaughrin since he has been out of office.

On one occasion Mr. McCaughrin came into his office and asked if he could leave a desk in there, that he was not going to take out all his belongings from his office because he expected to be back in office in about four months. That he expected to be out on the hustings against the Government pretty soon, as soon as he came back.

Mr. McCaughrin in his evidence when asked about a conversation with the Chief of Police of Orillia that he was not even going to move his office furniture out because he would be soon moving it back later on, says that that conversation meant that he expected to be cleared of everything they brought up against him, and he might be reinstated.

And when asked "Reinstated by whom," answered, "By the Conservative Party, when they regained—"

#### XVI—WHY ARRANGEMENT MADE ON NOVEMBER 25TH HAD NOT BEEN ACTED UPON

The agreement made in Mr. Finlayson's office on November 25th, 1933, was made "subject to approval of the Department of the Attorney-General, by whose officers the details are to be worked out."

Mr. Humphries states in his evidence that in the ordinary course of events this would have come to him to be worked out, that he was away in Windsor as Counsel for the Commission investigating Shelter charges, that he was only in his office two Saturday mornings in December and did not complete the work until December 21st, that he had not seen the agreement as it could not be placed before him as he was away; that the agreement never came before the Department nor before him, nor did the Attorney-General's Department at any time work it out or approve of it.

#### XVII—FORMER PRECEDENTS

Mr. Humphries produced a number of files and cited a number of cases where arrangements were made to take care of officials who were retired on the grounds of incompetency, age and inefficiency.

A memo of these were filed as Exhibit No. 21 and are as follows:—

Exhibit No. 21 (1-17)

RE McCAUGHRIN

A LIST OF PRECEDENTS FILED WITH THE COMMITTEE UNDER THE  
INSTRUCTIONS OF THE INVESTIGATION COMMITTEE

February 12th, 1934

(1) 1898—*Hon. A. D. Hardy.*

#### SHERIFF, LEEDS AND GRENVILLE

On September 10th, 1898, Mr. James Smart, Sheriff of the United Counties of Leeds and Grenville, was retired and the report showed that Mr. Smart had been Sheriff for about fifteen years and was eighty years of age and for some

years had been in a feeble state physically. It was agreed that the incoming Sheriff, Mr. George Augustus Dana, should pay to Smart the sum of \$1,200 per annum, payable monthly, and sureties were provided. This arrangement was confirmed by Order-in-Council.

On March 18th, 1902, Dana resigned, complaining that the net revenues of the office were not sufficient to pay the ex-Sheriff the sum stipulated. Action to recover was brought on the bond, which was held valid.

File 1820—Year 1902.

File 5354—Year 1898.

(2) 1899—*Hon. A. S. Hardy*

CLERK OF THE PEACE, YORK COUNTY

This retired official was advanced in years, and his health had failed, and in order to make provision for his maintenance the following arrangement was made:—

His successor to pay \$900 per annum for a period of five years, if he shall live so long, and if not, then during his lifetime, to be paid to him by his successor in office, and that the same be so reserved to him in the patent appointing his successor, and to be secured to him also by an agreement or bond of his successor in office, with two sureties in the sum of \$1,000, the said sum of \$900 to be payable to him in equal quarterly payments during the said period of five years, or until his death if such event should happen before the expiry of the five years.

Order-in-Council in this case has been already published.

Order-in-Council dated February 24th, 1899.

(3) 1919—*Hon. W. E. Raney*

REGISTRY OFFICE, SIMCOE COUNTY

(Sanderson & Montgomery)

Registrar was appointed March, 1918. There was a deputy in the office, and an arrangement was made that he be kept on as a consulting clerk at half his salary. The deputy was physically incapacitated and being an old official this arrangement was made.

This payment was made out of the fees of the office, which would otherwise have gone to the new Registrar. The Attorney-General in 1919 was interviewed as to the right of the Inspector of Legal Offices to allow payment as a disbursement of the amount payable to the deputy. An action was commenced by the County, which was interested in the percentage payable on surplus fees, and the action was dismissed, and on appeal the judgment of the trial judge was upheld. (Judgment given November 15th, 1921.)

File 3007—Year 1919.



(4) 1921, January—*Hon. W. E. Raney*

LOCAL REGISTRAR, SUPREME COURT OF ONTARIO, COUNTY COURT  
CLERK AND SURROGATE REGISTRAR, KENT COUNTY

In this office when the Registrar resigned there was a Deputy, who had become physically incapacitated.

Before a new appointment was made, the then Attorney-General directed the Clerk of the Peace, who takes charge of these offices when there is a vacancy, to pay \$50 a month to this Deputy.

When the appointment was made, the new appointee was instructed by the then Attorney-General to pay to this Deputy \$50 a month during his lifetime, although he never worked in the office.

This was acceptable to the new appointee who carried out the directions and made the payments.

File marked "A"—Year 1920-1921.

(5) 1922—*Hon. W. E. Raney*

CROWN ATTORNEY AND CLERK OF THE PEACE, LINCOLN COUNTY

An arrangement was made whereby the Crown Attorney and Clerk of the Peace was retired as and from December 31st, 1922, he to receive an annual compassionate allowance of \$1,200 and an Order-in-Council was passed, dated December 20th, 1922, whereby, it appearing that the official is incapacitated through illness from properly and efficiently performing the duties of his office and having consented to retire, it was provided that he receive an annual compassionate allowance of \$1,200 during his lifetime.

File 3288—Year 1922.

(6) 1923—*Hon. W. E. Raney*

TORONTO REGISTRY OFFICE

The retirement of Peter Ryan as Registrar for the City of Toronto, which retirement was arranged by amalgamating the two Registry Offices, retiring Mr. Ryan on a pension paid out of the fees and the appointment of Mr. Currey as Registrar. This was put through by an amendment to The Registry Act, Section 119, page 1581, R.S.O.

(7) 1923—*Hon. W. E. Raney*

POLICE MAGISTRATE, BRUCE COUNTY

Compassionate allowance paid to the retiring Magistrate.

September, 1923.....	\$250
August 11th, 1925.....	250
August 25th, 1926.....	250

(8) 1923—*Hon. W. E. Raney*

## POLICE MAGISTRATE, DUFFERIN COUNTY

Retired Police Magistrate, promised an annual compassionate allowance at the rate of \$250 per annum as long as he should live, and in fulfillment of this promise an Order-in-Council was passed on April 3rd, 1923, making provision for the payment of \$250 for the year 1923-24 payable in two instalments. It appearing that the last instalment of \$125 was not paid to him, by Order-in-Council, dated December 17th, 1924, he was to be paid an allowance of \$375 to cover the arrears of the allowance granted for the last year, and the sum of \$250 for the present fiscal year.

File 1069—Year 1923.

(9) 1925, December—*Hon. Mr. Nickle*

## REGISTRY OFFICE, KINGSTON AND FRONTENAC

Prior to December 11th, 1925, there were two Registry Offices—one for the City of Kingston and one for the County of Frontenac.

By Order-in-Council, dated December 11th, 1925, the offices were consolidated into one, and the following provision was made for the retirement of the Registrar for the Kingston office:

(1) Payment of \$1,000 by the Government as a compassionate allowance.

(2) Appointment of the retired Registrar as a deputy at a yearly amount of \$870.00 payable in equal monthly instalments—this office to be retained by the retiring Registrar for life, and to act only in an advisory capacity and not to be required to do any office work or to keep any regular office hours.

This yearly payment of course was paid by the Registrar for the consolidated offices, and has been considered as an office disbursement.

File 2982—Year 1925.

(10) 1926, May—*Hon. Mr. Nickle*CROWN ATTORNEY, CLERK OF THE PEACE AND LOCAL REGISTRAR OF  
THE SUPREME COURT, SIMCOE COUNTY

Owing to the financial position, advanced age and infirmity of the Crown Attorney, Clerk of the Peace and Local Registrar of the Supreme Court of Ontario, and the fact that there was no provision for superannuation and the long sixty years of faithful service, the following provision was made for his maintenance on his retiring from these offices:—

(1) A compassionate allowance of \$1,000 paid by the Government.

(2) Payment by his successor in office of one-half of the net proceeds of the offices of Crown Attorney and Clerk of the Peace up to the amount of \$3,500 as received by the successor, during the lifetime of the retired official.

(11) 1926, June 25—*Hon. W. F. Nickle*

## BURKS FALLS, POLICE MAGISTRATE

Compassionate allowance to retired Magistrate of \$1,000.

(12) 1926, August—*Hon. Mr. Nickle*

LOCAL REGISTRAR, COUNTY COURT CLERK AND SURROGATE  
REGISTRAR, HURON COUNTY

This official resigned owing to conditions that existed in the office caused by his physical infirmities. He had been in the service for many years and the Government paid to him a compassionate allowance of \$1,000.

File 1993—Year 1926.

2465—Year 1926.

(13) January, 1927—*Hon. Mr. Price*

CROWN ATTORNEY AND CLERK OF THE PEACE, HURON COUNTY

This retired official had given over forty years of service, and due to physical incapacities, and the fact there was no superannuation, the following provision was made for his maintenance:—

(1) A compassionate allowance of \$1,000 in 1927, of \$500 in 1928 and \$500 in 1929.

(2) A payment by his successor of \$250 a year in each year for three years.  
File 372—Year 1927.

MEMORANDUM

1931—*The Honourable W. H. Price, Surrogate Registrar, County of Frontenac:*

Miss Helen Fraser in 1931, was over seventy-seven years of age, and was appointed Surrogate Registrar by the late Sir Oliver Mowat.

It was found that owing to the infirmities of age, and extremely poor eyesight coming upon her, that she was not competent to carry on the office of Registrar.

Having been for a very great number of years in this office with long service, she was retired, and the following retiring allowance was arranged:—

1. She was granted a compassionate allowance of \$600, payable by the Government by Order-in-Council, dated July, 1931.

2. Her successor in office, H. E. Richardson, who was appointed on the 15th day of June, 1931, out of the fees of the office pays Miss Fraser the sum of \$1,200 a year, as long as she lives, at the rate of \$100 per month.

(15) 1932—*Hon. Mr. Price*

POLICE MAGISTRATE, UNITED COUNTIES OF NORTHUMBERLAND AND DURHAM

Owing to ill health and physical infirmities of the Magistrate, it was arranged that a deputy Police Magistrate be appointed for the United Counties of Northumberland and Durham and the Town of Cobourg.

The sum of \$1,200 was arranged to be paid to the Magistrate by the Government, and \$900 to the Deputy. Also that the \$900 a year salary paid by the

Town of Cobourg be paid \$600 to the Magistrate and \$300 to the Deputy. The Deputy does all the work.

File 3315—Year 1932.

Fraser, 1931.

(16) 1933—*Hon. Mr. Price*

CROWN ATTORNEY AND CLERK OF THE PEACE, ELGIN COUNTY

This retired official had reached his eighty-seventh year, and on account of his age and long service the time arrived for a new appointment. In order to make provision for the maintenance of the retiring official the following arrangement was made with his successor:—

(1) Given one month's leave of absence which gave him the fees of the office for one month.

(2) A payment by his successor of the sum of \$1,000 per annum for life.

File 2124—Year 1933.

(17) 1904—*F. R. Latchford, Attorney-General*

RE LOCAL REGISTRAR, SUPREME COURT, LOCAL REGISTRAR, HIGH COURT, CLERK OF THE COUNTY COURT AND REGISTRAR, SURROGATE COURT, WELLAND

By Order-in-Council dated the 23rd day of December, 1904, the report of the Honourable the Attorney-General with reference to the retirement of Mr. I. P. Willson from the position of Local Registrar of the Supreme Court, Clerk of the County Court and Registrar of the Surrogate Court for the County of Welland, and to the appointment of his successor, Mr. John Edward Cohoe, to the said positions was concurred in.

The recommendation was that I. P. Willson, who filled the positions for a long time probably nearly 50 years, and who desires to be relieved from the duties of office on condition that some provision be made for him during the remainder of his life out of the emoluments of the office, and as there has been a great deal of complaint regarding the effect of Mr. Willson's advanced age and loss of mental grip upon the satisfactory fulfilment of the duties of office, John Edward Cohoe of Welland, Barrister, was appointed Local Registrar of the Supreme Court, Clerk of the County Court and Registrar of the Surrogate Court in and for the County of Welland, subject to the annual reservation, charge or payment required to be made out of the fees, perquisites or profits of these offices in favour and for the benefit of the said I. P. Willson of the sum of \$800.00 per annum payable in quarterly payments by the said John Edward Cohoe or by the Government out of the emoluments of the said offices, and that such reservation, charge or payment and the circumstances and reasons for allowing the same to be stated in the Commission of Appointment of John Edward Cohoe, who agrees to accept the appointment of the said offices subject to such reservation.



Copy of an Order-in-Council approved by His Honour the Lieutenant-Governor, the 23rd day of December, A.D. 1904:—

The Committee of Council have had under consideration the annexed report of the Honourable the Attorney-General, with reference to the retirement of Mr. I. P. Willson from the positions of Local Registrar of the High Court, Clerk of the County Court and Registrar of the Surrogate Court for the County of Welland, and to the appointment of his successor, Mr. John Edward Cohoe, to the said positions and advise that the recommendation therein contained be concurred in and acted on.

Certified,

C. F. BULMER,  
*Clerk, Executive Council.*

To His Honour The Lieutenant-Governor in Council:

The undersigned has had under consideration the position of the Local Registrar of the High Court, Clerk of the County Court, and Registrar of the Surrogate Court for the County of Welland, which has been filled for a very long time, probably nearly fifty years, by I. P. Willson, who desires to be relieved from the duties of the office on condition that some provision be made for him during the remainder of his life out of the emoluments of the office. There has been a good deal of complaint regarding the effect of Mr. Willson's advanced age and loss of mental grip upon the satisfactory fulfilment of the duties of the office. He has been a man of very considerable ability, and has been greatly respected by all who knew him. The Inspector of Legal Offices suggests that a change is necessary and in connection with Surrogate applications the undersigned has heard complaints from time to time of very annoying delays.

The undersigned therefore respectfully recommends that John Edward Cohoe, of the Town of Welland, Barrister, be appointed Local Registrar of the High Court, Clerk of the County Court, and Registrar of the Surrogate Court in and for the said County of Welland, subject to the annual reservation charge or payment required to be made out of the fees, perquisites or profits of these offices in favour of and for the benefit of the said I. P. Willson of the sum of \$800 per annum, payable in quarterly payments by the said John Edward Cohoe, or by the Government out of the emoluments of the said offices, and that such reservation, charge or payment, and the circumstances and reasons for allowing the same to be stated in the commission of appointment of the said John Edward Cohoe who agrees to accept the appointment for the said offices subject to such reservation.

(Sgd.) F. R. Latchford,  
*Attorney-General*

20th December, 1904.

#### XVIII—THE CHARGES CONTAINED IN THE STATUTORY DECLARATION

These charges are set out in a statutory declaration made by Mr. McCaughrin and declared by him before W. Griffith Bingham, on the 20th day of December, 1933 (Exhibit No. 1).

The charges as therein set out, are briefly as follows:—

- (1) That Mr. Finlayson told McCaughrin on November 11th, at Orillia in the Y.M.C.A., that he thought he could get him \$3,000.00 if he would resign his position;
- (2) At Mr. Finlayson's request, he met Mr. Gover in Mr. Finlayson's office November 25th, 1933;
- (3) At this meeting, Mr. Finlayson pressed him to resign his position, and persuaded Mr. Gover to pay him \$2,000 in consideration of his resigning;
- (4) That he did not agree to this, but Mr. Finlayson dictated an agreement which was typed in Mr. Finlayson's office, and was signed by Mr. Gover, which covered the proposed payment of \$2,000;
- (5) That he did not sign the agreement or commit himself to it until it had been submitted to the Attorney-General, and subsequently submitted to him;
- (6) The agreement was not read to him, but Mr. Finlayson requested him to sign his resignation so it could be submitted to the Attorney-General;
- (7) That he wrote the letter of December 2nd, 1933, withdrawing his resignation, because it was, he thought, a piece of trickery to persuade him to barter his position as Police Magistrate;
- (8) That Mr. Finlayson called him on the telephone after receiving the letter, and abused him in a very angry manner;
- (9) That at an interview with Honourable Mr. Price on December 6th, 1933, the Attorney-General was very angry and abusive, and tried to persuade him to destroy the letter, and he had refused flatly to withdraw the resignation or destroy the letters;
- (10) He also mentions the letter from Honourable Mr. Price of December 12th, and his reply of December 14th, and the letter he received from Mr. Gover with a cheque which he returned;
- (11) He charges in the Declaration that his resignation was procured from him by trickery.

All this evidence has been carefully considered by your Committee who now make the following findings, and present the same to the House:—

- (1) That Daniel McCaughrin, as Police Magistrate of Orillia, was inefficient;
- (2) That it was in the public interest that he be retired from such office;
- (3) That Honourable William Finlayson, Member of the Ontario Legislature for Simcoe East, endeavoured at the request of the said Daniel McCaughrin, in the interests of the said Daniel McCaughrin, to arrange a lump sum allowance to be paid to him by his successor in office;
- (4) That an arrangement, subject to the approval of the Attorney-General's Department, was agreed to on November 25th, 1933, by Daniel McCaughrin whereby:

- (a) Daniel McCaughrin in writing (Exhibit 19) resigned his position as Police Magistrate of Orillia;
  - (b) His successor, one Howard Gover, agreed in writing (Exhibit No. 20) to pay the said Daniel McCaughrin the sum of \$2,000.00 distributed over a period of three years, being \$750.00 the first year commencing January 1st, 1934, \$750.00 in the following year, and \$500.00 in the third year;
- (5) That after such arrangement was entered into, but before approval by the Attorney-General's Department by whose officers the details were to be worked out, the said Daniel McCaughrin repudiated the arrangement entered into and endeavoured to obtain a better settlement from the Attorney-General's Department. In this he failed.
- (6) That the "charges," or statements amounting to "charges," referred to in the *Toronto Globe* of December 22nd and 23rd, 1933, are summarized and set forth in a statutory declaration (Exhibit No. 1) sworn to by Daniel McCaughrin at Orillia on the 20th day of December, 1933, twenty-five days subsequent to the date of the meeting between Howard Gover, Daniel McCaughrin and the Honourable William Finlayson, in the office of the Honourable William Finlayson at Toronto, on November 25th, 1933, which declaration was prepared, under the direction of Harry Johnston, Ontario Liberal Organizer, in the office of George McLean at Orillia, the former defeated Liberal candidate in Simcoe County, and subsequently, and after it was sworn to, the said Harry Johnston and the said Daniel McCaughrin came to Toronto;
- (7) On the following morning, December 21st, 1933, the said Harry Johnston and the said Daniel McCaughrin went to the *Globe* newspaper office and there discussed the said document with, and left it with Mr. Harry Anderson, with the instructions and understanding that no use was to be made of the same by way of publication until he (McCaughrin) should give authority so to do. The said McCaughrin then visited the Attorney-General's Department and saw Mr. Bayly, the Deputy Attorney-General, and because Mr. Bayly, the Deputy Attorney-General, would not agree to Mr. McCaughrin's terms, the said McCaughrin left Mr. Bayly's office and got in touch immediately with Mr. Harry Johnston and went back to the *Globe* office where a conference was held at which, among others, there were present Mr. Anderson, Mr. McIntosh, Mr. Arthur Roebuck and the said Harry Johnston, and decision was made to publish the said declaration as well as correspondence filed as exhibits;
- (8) The evidence shows that there was no bartering or trafficking in office and that what took place in Mr. McCaughrin's behalf and at his request was merely an endeavour to provide him with a retiring allowance;
- (9) The evidence further shows that what was done on behalf of Mr. McCaughrin did not differ in principle from precedents under various Attorneys-General over a period covering thirty-five years, particulars of which precedents are embodied in this report;

- (10) Attached hereto is the evidence taken at the hearing by the Committee and the various Exhibits filed in connection therewith;
- (11) Your Committee respectfully suggests that the Government give consideration to direct payment by the Crown of a retiring allowance to a retired official where, on the facts and circumstances of the case, it is expedient, deserving, and in the public interest, that an allowance be made.

Mr. McCrea moved that the Report of the Committee be adopted.

Mr. Nixon moved in amendment, seconded by Mr. McQuibban, that all the words in the Motion after the word "That" be struck out and the following substituted therefor: This House condemns the methods employed in bringing about the removal of Daniel McCaughrin from the office of Police Magistrate at Orillia.

And a Debate arising, after some time, the Amendment having been put was lost on the following Division:—

## YEAS

Bragg	McQuibban	Robertson
Hutchinson	Newman	Sangster
Munro	Nixon	Taylor—11.
Murray	Oliver	

## NAYS

Acres	Hill	Oakley
Aubin	Hogarth	Poisson
Baird	Ireland	Raven
Bell	Jutten	Reid
Berry	Kennedy	Richardson
Black	(Temiskaming)	St. Denis
Blanchard	Kennedy	Sanderson
Burt	(Peel)	Shaver
Case	Lyons	Shields
Challies	Mahoney	Singer
Colliver	Martin	Smith
Craig	(Hamilton, West)	(Essex, South)
Davis	Martin	Smith
Ecclestone	(Brantford)	(Greenwood)
Elliott	Murphy	Waters
Ellis	(Beaches)	Willson
Fraleigh	McArthur	(Niagara Falls)
Graham	McBrien	Wilson
Harrison	McCrea	(Windsor, East)
Heighington	McLean	Wright—53.
Henry	Nesbitt	



The Motion for the adoption of the Report having then been submitted was carried on the following Division:—

## YEAS

Acres	Hill	Oakley
Aubin	Hogarth	Poisson
Baird	Ireland	Raven
Bell	Jutten	Reid
Berry	Kennedy	Richardson
Black	(Temiskaming)	St. Denis
Blanchard	Kennedy	Sanderson
Burt	(Peel)	Shaver
Case	Lyons	Shields
Challies	Mahoney	Singer
Colliver	Martin	Smith
Craig	(Hamilton, West)	(Essex, South)
Davis	Martin	Smith
Ecclestone	(Brantford)	(Greenwood)
Elliott	Murphy	Waters
Ellis	(Beaches)	Willson
Fraleigh	McArthur	(Niagara Falls)
Graham	McBrien	Wilson
Harrison	McCrea	(Windsor, East)
Heighington	McLean	Wright—53.
Henry	Nesbitt	

## NAYS

Bragg	McQuibban	Robertson
Hutchinson	Newman	Sangster
Munro	Nixon	Taylor—11.
Murray	Oliver	

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The following Bills were severally read the second time:—

Bill (No. 128), An Act to amend The Wages Act.

Referred to the Committee on Legal Bills.

Bill (No. 129), An Act to amend The Division Courts Act.

Referred to the Committee on Legal Bills.

Bill (No. 130), An Act to amend The Execution Act.

Referred to the Committee on Legal Bills.

Bill (No. 131), An Act to amend The Division Courts Act.

Referred to the Committee on Legal Bills.

Bill (No. 133), An Act to amend The Weed Control Act.

Referred to the Committee of the Whole House on Monday next.

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The House resolved itself into a Committee to consider Bill (No. 52), An Act to amend The Registry Act, and, after some time spent therein, Mr. Speaker resumed the Chair; and Mr. Black reported, That the Committee had directed him to report the Bill without any amendment.

*Ordered*, That the Bill be read the third time on Monday next.

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The House resolved itself into a Committee to consider Bill (No. 84), An Act to amend The Division Courts Act, and, after some time spent therein, Mr. Speaker resumed the Chair; and Mr. Black reported, That the Committee had directed him to report the Bill without any amendment.

*Ordered*, That the Bill be read the third time on Monday next.

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The House resolved itself into a Committee to consider Bill (No. 110), An Act to amend The Public Parks Act, and, after some time spent therein, Mr. Speaker resumed the Chair; and Mr. Black reported, That the Committee had directed him to report the Bill without any amendment.

*Ordered*, That the Bill be read the third time on Monday next.

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The House resolved itself into a Committee to consider Bill (No. 120), An Act to amend The Ditches and Watercourses Act, and, after some time spent therein, Mr. Speaker resumed the Chair; and Mr. Black reported, That the Committee had directed him to report the Bill without any amendment.

*Ordered*, That the Bill be read the third time on Monday next.

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The House resolved itself into a Committee to consider Bill (No. 124), An Act to amend The Unemployment Relief Act, 1933, and, after some time

spent therein, Mr. Speaker resumed the Chair; and Mr. Black reported, That the Committee had directed him to report the Bill without any amendment.

*Ordered*, That the Bill be read the third time on Monday next.

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The House then adjourned at 5.35 p.m.

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MONDAY, MARCH 26TH, 1934

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PRAYERS.

3 O'CLOCK P.M.

On Motion of Mr. Henry, seconded by Mr. Price (Parkdale),

*Ordered*, That the Standing Committee on Public Accounts be granted permission to sit concurrently with the sittings of this House.

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On Motion by Mr. Finlayson, seconded by Mr. Price (Parkdale),

*Ordered*, That this House hereby confirms the action of the Lieutenant-Governor in Council in appointing by Order-in-Council, dated the Third day of November, 1933, a Special Committee to study the situation of the districts surrounding large cities and to report upon the advisability of setting up metropolitan areas for the betterment of conditions in relation to the development and administration of the municipalities concerned and to study the operations of the municipal law in this connection; and Messrs. Finlayson, Baird, Case, Honeywell, Mahony, Sinclair and Wilson (Windsor, East) together with Dr. Horace L. Brittain are hereby appointed a Committee as per the Order-in-Council referred to for the purposes as set out in this Motion with authority to sit during the recess of the House and the proceedings of the said Committee from the date of its appointment on November 3rd, 1933, are validated as having been carried on under the direction and authority of this House.

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The following Bills were severally introduced and read the first time:—

Bill (No. 150), intituled "The Statute Law Amendment Act, 1934." *Mr. Price* (Parkdale).

*Ordered*, That the Bill be read the second time To-morrow.

Bill (No. 151), intituled "An Act to amend The Provincial Parks Act."  
*Mr. Finlayson.*

*Ordered,* That the Bill be read the second time To-morrow.

Bill (No. 152), intituled "An Act to amend The Liquor Control Act."  
*Mr. Price* (Parkdale).

*Ordered,* That the Bill be read the second time To-morrow.

Bill (No. 153), intituled "An Act to amend The Workmen's Compensation Act."  
*Mr. Case.*

*Ordered,* That the Bill be read a second time To-morrow.

Bill (No. 154), intituled "An Act to amend The Ontario Fruit Act, 1933."  
*Mr. Kennedy* (Peel).

*Ordered,* That the Bill be read a second time To-morrow.

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Mr. Robertson asked the following Question (No. 7):—

1. Upon whose recommendation was the Jail Warden of the County of Simcoe appointed. 2. Had he ever served with His Majesty's forces overseas. 3. What are the names of the ex-service men who applied for this position.

The Honourable the Provincial Secretary replied as follows:—

1. Upon the recommendation of the Provincial Secretary. 2. No. 3. No information other than is contained in Return to the House this 26th instant.

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Mr. Bragg asked the following Question (No. 125):—

1. On what date did the Government sign an agreement to purchase radium from the Radium Belge Company of New York. 2. On what dates was delivery to be made. 3. What are the terms of the agreement. 4. Was this radium delivered duty free. 5. If not, what was the amount of duty.

The Honourable the Minister of Health and Labour replied as follows:—

1. The Government has entered into no agreement to purchase radium from the Radium Belge Company of New York, but did enter into an agreement on December 19th, 1933, to rent for a period of one (1) year, 4 grammes of radium element from the said Company. 2. Delivery was to be made without undue delay, and the radium has already been received. 3. The Government agrees to rent 4 grammes of radium element valued at \$50.00 per milligramme and to pay in rental therefor, annually, a sum equal to 6 per cent. of the value of the said radium. 4. Yes. 5. Answered in 4.



Mr. Taylor asked the following Question (No. 132):—

1. How many individuals make up the staff of the Danforth and Woodbine Branch of the Province of Ontario Savings Office. 2. What is the name and duty of each person. 3. What salary did each receive last year.

The Honourable the Prime Minister replied as follows:—

1. Six. 2. A. G. Clark, Manager, \$2,100; B. T. Haffey, Teller-Accountant, \$1,500; G. H. Holmes, Teller-Accountant, \$1,125; D. J. Dixon, Ledgerkeeper, \$900; J. A. Witt, Ledgerkeeper, \$750; R. J. Black, Junior Clerk, \$525. 3. Answered in No. 2.

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The Order of the Day for the second reading of Bill (No. 82), An Act to amend The Lakes and Rivers Improvement Act, having been read,

*Ordered*, That the Order be discharged, and that the Bill be withdrawn.

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The following Bills were severally read the second time:—

Bill (No. 141), The Federal District Commission Act, 1934.

Referred to the Committee of the Whole House To-morrow.

Bill (No. 126), An Act to amend The Ontario Municipal Board Act.

Referred to a Committee of the Whole House To-morrow.

Bill (No. 127), An Act to amend The Mortgagors' and Purchasers' Relief Act.

Referred to a Committee of the Whole House To-morrow.

Bill (No. 132), An Act respecting Woodmen's Employment Investigation.

Referred to a Committee of the Whole House To-morrow.

Bill (No. 134), An Act for Raising Money on the Credit of the Consolidated Revenue Fund.

Referred to a Committee of the Whole House To-morrow.

Bill (No. 138), An Act to amend The Representation Act, 1933.

Referred to a Committee of the Whole House To-morrow.

Bill (No. 139), An Act to amend The Northern Development Act.

Referred to a Committee of the Whole House To-morrow.

Bill (No. 144), The Municipal Amendment Act, 1934.

Referred to a Committee of the Whole House To-morrow.

Bill (No. 145), The Assessment Amendment Act, 1934.

Referred to a Committee of the Whole House To-morrow.

Bill (No. 146), An Act to amend The Game and Fisheries Act.

Referred to a Committee of the Whole House To-morrow.

Bill (No. 147), An Act to amend The Crown Timber Act.

Referred to a Committee of the Whole House To-morrow.

Bill (No. 148), An Act to amend The Magistrates Act.

Referred to a Committee of the Whole House To-morrow.

Bill (No. 149), An Act respecting Subsidies for Seed Grain.

Referred to a Committee of the Whole House To-morrow.

Bill (No. 143), An Act to amend The Deserted Wives' and Children's Maintenance Act.

Referred to a Committee of the Whole House To-morrow.

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On Motion of Mr. Slack, seconded by Mr. Ross,

That there be laid before this House a Return showing copies of all correspondence and reports that in any way concern charges of maladministration of Children's Aid Work in York County, and in particular any correspondence to or from (a) Honourable George S. Henry, as Premier or President of the York Children's Aid Society; (b) Honourable W. G. Martin, Minister of Welfare; (c) Mr. M. A. Sorsoleil, Deputy Minister of Welfare; (d) Mr. J. J. Kelso, Superintendent, Children's Aid Branch. Also copy of a Petition to the Lieutenant-Governor in Council, dated February 10th, 1934, signed on behalf of eighteen organizations interested in Child Welfare.

The Motion of Mr. Slack was with the consent of the House withdrawn.

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On Motion of Mr. Henry, seconded by Mr. Price (Parkdale),

*Ordered*, That this House do forthwith resolve itself into a Committee to consider a certain proposed Resolution respecting the Raising by Way of Loan a Sum of Money not exceeding the Sum of Forty Million Dollars (\$40,000,000.00) for the Public Service.

Mr. Henry acquainted the House that His Honour the Lieutenant-Governor, having been informed of the subject matter of the proposed Resolution; recommends it to the consideration of the House.

The House then resolved itself into the Committee.

*(In the Committee)*

*Resolved:* 1. That the Lieutenant-Governor in Council be authorized to raise from time to time by way of loan such sum or sums of money as may be deemed expedient for any or all of the following purposes, that is to say: For the public service, for works carried on by commissioners on behalf of Ontario, for the covering of any debt of Ontario on open account, for paying any floating indebtedness of Ontario, and for the carrying on of the public works authorized by the Legislature; Provided that the principal amount of any securities issued and the amount of any temporary loans raised under the authority of this Act, including any securities issued for the retirement of the said securities or temporary loans at any time outstanding, shall not exceed in the whole Forty million dollars (\$40,000,000).

2. That the aforesaid sum of money may be borrowed for any term or terms not exceeding forty years, at such rate as may be fixed by the Lieutenant-Governor in Council and shall be raised upon the credit of the Consolidated Revenue Fund of Ontario, and shall be chargeable thereupon.

3. That the Lieutenant-Governor in Council may provide for a special sinking fund with respect to the issue herein authorized, and such sinking fund may be at a greater rate than the one-half of one per centum per annum specified in Subsection 2 of Section 3 of The Provincial Loans Act.

Mr. Speaker resumed the Chair; and Mr. Black reported, that the Committee had come to a certain Resolution.

*Ordered,* That the Report be now received.

*Resolved:* 1. That the Lieutenant-Governor in Council be authorized to raise from time to time by way of loan such sum or sums of money as may be deemed expedient for any or all of the following purposes, that is to say: For the public service, for works carried on by commissioners on behalf of Ontario, for the covering of any debt of Ontario on open account, for paying any floating indebtedness of Ontario, and for the carrying on of the public works authorized by the Legislature; Provided that the principal amount of any securities issued and the amount of any temporary loans raised under the authority of this Act, including any securities issued for the retirement of the said securities or temporary loans at any time outstanding, shall not exceed in the whole Forty million dollars (\$40 000,000).

2. That the aforesaid sum of money may be borrowed for any term or terms not exceeding forty years, at such rate as may be fixed by the Lieutenant-Governor in Council and shall be raised upon the credit of the Consolidated Revenue Fund of Ontario, and shall be chargeable thereupon.

3. That the Lieutenant-Governor in Council may provide for a special sinking fund with respect to the issue herein authorized, and such sinking fund may be at a greater rate than the one-half of one per centum per annum specified in Subsection 2 of Section 3 of The Provincial Loans Act.

The Resolution, having been read the second time, was agreed to, and referred to the House on Bill (No. 134).

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The House resolved itself into a Committee to consider Bill (No. 133), An Act to amend The Weed Control Act, and, after some time spent therein, Mr. Speaker resumed the Chair; and Mr. Black reported, That the Committee had directed him to report the Bill without any amendment.

*Ordered*, That the Bill be read the third time To-morrow.

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The House resolved itself into a Committee to consider Bill (No. 119), The Northern Ontario Appropriation Act, 1934, and, after some time spent therein, Mr. Speaker resumed the Chair; and Mr. Black reported, That the Committee had directed him to report the Bill without any amendment.

*Ordered*, That the Bill be read the third time To-morrow.

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The House resolved itself into a Committee to consider Bill (No. 118), An Act to amend The Insurance Act, and, after some time spent therein, Mr. Speaker resumed the Chair; and Mr. Black reported, That the Committee had directed him to report the Bill with certain amendments.

*Ordered*, That the amendments be taken into consideration forthwith.

The amendments, having been read the second time, were agreed to.

*Ordered*, That the Bill be read the third time To-morrow.

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The House resolved itself into a Committee to consider Bill (No. 91), The Highway Traffic Act, 1934, and, after some time spent therein, Mr. Speaker resumed the Chair; and Mr. Black reported, That the Committee had directed him to report the Bill with certain amendments.

*Ordered*, That the amendments be taken into consideration forthwith.

The amendments, having been read the second time, were agreed to.

*Ordered*, That the Bill be read the third time To-morrow.



The House resolved itself into a Committee to consider Bill (No. 43), The Public Commercial Vehicle Act, 1934, and, after some time spent therein, Mr. Speaker resumed the Chair; and Mr. Black reported, That the Committee had directed him to report the Bill without any amendment.

*Ordered*, That the Bill be read the third time To-morrow.

The House resolved itself into a Committee to consider Bill (No. 125), An Act to amend The Minimum Wage Act, and, after some time spent therein, Mr. Speaker resumed the Chair; and Mr. Black reported, That the Committee had directed him to report the Bill without any amendment.

*Ordered*, That the Bill be read the third time To-morrow.

The House, according to Order, again resolved itself into the Committee of Supply.

*(In the Committee.)*

*Resolved*, That there be granted to His Majesty, for the services of 1935, the following sums:—

30. To defray the expenses of the Public and Separate School Education.....	\$3,778,485 00
10. To defray the expenses of the Hydro-Electric Power Commission of Ontario.....	2,503,000 00
76. To defray the expenses of the Main Office, Public Works Department.....	84,900 00
77. To defray the expenses of General Superintendence, Public Works Department.....	34,925 00
78. To defray the expenses of the Government House, Public Works Department.....	29,900 00
79. To defray the expenses of the Parliament and Departmental Buildings, Public Works Department.....	387,849 00
80. To defray the expenses of the Osgoode Hall, Public Works Department.....	38,175 00
81. To defray the expenses of the Educational Buildings, Public Works Department.....	11,250 00
82. To defray the expenses of the Agricultural Buildings, Public Works Department.....	6,650 00
83. To defray the expenses of the Welfare Buildings, Public Works Department.....	950 00
84. To defray the expenses of the District Buildings, Public Works Department.....	11,320 00
85. To defray the expenses of the General Buildings, Public Works Department.....	4,000 00
86. To defray the expenses of the Public Works and Bridges, Maintenance and Construction Public Works Department...	70,050 00

87. To defray the expenses of the Public Buildings, Construction, Public Works Department.....	\$190,500 00
88. To defray the expenses of the Main Office, Highways Department.....	376,775 00
89. To defray the expenses of the Motor Vehicles Branch, Highways Department.....	259,405 00
114. To defray the expenses of the Main Office, Labour Department.....	38,096 50
115. To defray the expenses of the Apprenticeship Board, Labour Department.....	21,625 00
116. To defray the expenses of the Boiler Inspection, Labour Department.....	19,750 00
117. To defray the expenses of the Factory Inspection, Labour Department.....	64,875 00
118. To defray the expenses of the Board of Examiners of Operating Engineers, Labour Department.....	25,275 00
119. To defray the expenses of the Employment Offices, Labour Department.....	212,000 00
120. To defray the expenses of the Minimum Wage Board, Labour Department.....	24,400 00
143. To defray the expenses of the Main Office, Agriculture Department.....	263,215 00
144. To defray the expenses of the Statistics and Publications Branch, Agriculture Department.....	13,800 00
145. To defray the expenses of the Agricultural and Horticultural Societies Branch.....	130,850 00
146. To defray the expenses of the Live Stock Branch.....	96,825 00
147. To defray the expenses of the Institutes Branch.....	68,975 00
148. To defray the expenses of the Dairy Branch.....	167,075 00
149. To defray the expenses of the Fruit Branch.....	88,050 00
150. To defray the expenses of the Agricultural Representatives' Branch.....	315,600 00
151. To defray the expenses of the Crops, Co-operation and Markets Branch.....	44,100 00
152. To defray the expenses of the Colonization and Immigration Branch.....	6,000 00
153. To defray the expenses of the Kemptville Agricultural School.....	63,000 00
154. To defray the expenses of the Ontario Veterinary College, Guelph.....	47,507 50
155. To defray the expenses of the Western Ontario Experimental Farm, Ridgetown.....	18,050 00
156. To defray the expenses of the Ontario Agricultural College, Guelph.....	753,714 50
157. To defray the expenses of the Miscellaneous.....	200,000 00

Mr. Speaker resumed the Chair; and Mr. Black reported, That the Committee had come to several Resolutions.

*Ordered.* That the Report be received To-morrow.

The Provincial Secretary presented to the House, by command of The Honourable the Lieutenant-Governor:—

Report of the Secretary and Registrar of the Province of Ontario with respect to the Administration of The Companies Act, The Extra Provincial Corporations Act, The Mortmain and Charitable Uses Act, and The Companies Information Act for year ending October 31st, 1933. (*Sessional Papers No. 52.*)

Also, Report of the Workmen's Compensation Board, Ontario, 1933. (*Sessional Papers No. 28.*)

Also, Annual Report upon the Hospitals and Sanitoria of Ontario for year ending September 30th, 1933. (*Sessional Papers No. 17.*)

Also, Annual Report of the Ontario Municipal Board for year ending December 31st, 1933. (*Sessional Papers No. 24.*)

Also, Return to an Order of the House, That there be laid before the House a Return showing copies of all correspondence and communications received or forwarded by any person or organization to Ministers of the Ontario Government during the years 1931, 1932 and 1933 relating: (a) To the appointment during the above-mentioned period of the Sheriff of the County of Simcoe. (b) To the appointment of Jail Warden of the County of Simcoe. (*Sessional Papers No. 53.*)

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The House then adjourned at 11.00 p.m.

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TUESDAY, MARCH 27TH, 1934

PRAYERS

3 O'CLOCK P.M.

Mr. Price from the Standing Committee on Private Bills presented their Seventh Report, which was read as follows and adopted:—

Your Committee beg to report the following Bill without amendment:—

Bill (No. 16), An Act respecting the Town of Walkerville.

Bill (No. 15), An Act respecting the Town of New Toronto is not reported by your Committee, having been withdrawn by the sponsors thereof.

Your Committee recommends that Rule No. 60 of this House be suspended in this, that the time for presenting reports of Committees on Private Bills be extended up to and inclusive of Wednesday, the Twenty-eighth day of March, instant.

*Ordered*, That the time for receiving Reports of Committee on Private Bills be extended to and inclusive of Wednesday, the Twenty-eighth day of March.

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Mr. McCrea from the Standing Committee on Legal Bills presented the following as their Third and Final Report:—

Your Committee has carefully considered the provisions of the following Bills:—

Bill (No. 128), An Act to amend The Wages Act.

Bill (No. 129), An Act to amend The Division Courts Act.

Bill (No. 130), An Act to amend The Execution Act; and

Bill (No. 131), An Act to amend The Division Courts Act.

And recommends that the same be not further proceeded with at this Session, but that a Select Committee to consist of Messrs. Sinclair, Wilson (Windsor), Smith (Essex, South), Heighington, and Martin (Hamilton) be appointed to consider the said Bills after this Session is prorogued and to report thereon to the Assembly for the next Session of the Legislature, the said Select Committee to act without payment of fees.

*Ordered*, That a Select Committee to consist of Messrs. Sinclair, Wilson (Windsor), Smith (Essex, South), Heighington, and Martin (Hamilton) be appointed to consider the said Bills after this Session is prorogued and to report thereon to the Assembly for the next Session of the Legislature, the said Select Committee to act without payment of fees during the recess.

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Mr. Jamieson from the Standing Committee on Agriculture and Colonization presented their Report, which was read as follows and adopted:—

Your Committee begs to report that it has held five meetings.

At the first meeting, Sub-committees were reappointed to continue severally the work of last Session.

At the second meeting, your Committee received a brief from the Ontario Growers' Markets Council, requesting that compulsory registration of fruit and vegetable crops be recommended to the Legislative Assembly. The request was referred to the Honourable the Minister and a Sub-committee. The difficult situation obtaining among the tobacco growers of Western Ontario was brought to your Committee's attention, and a Sub-committee was appointed to examine the matter and report back. The report of the Sub-committee is appended herewith, and your Committee requests that a copy of this report be forwarded to the Stevens Committee at Ottawa with the full support of the Legislative Assembly.



At its third meeting your Committee considered marketing practices which are activating against the livestock producer, and unanimously adopted a resolution that the Stevens Committee be requested to investigate all phases of livestock marketing problems.

At its fourth meeting your Committee heard further representations concerning livestock marketing, and passed resolutions calling for a reduction of twenty per cent. in commission charges at the Union Stock Yards, Toronto, and recommending that all livestock pass through the stock yards so that competitive marketing may be restored.

At its fifth meeting, your Committee received reports from its Sub-committees, all of which, with the exception of the Tobacco Sub-committee's Report, have been forwarded to the Honourable the Minister.

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Mr. Black presented the Report of the Standing Committee on Public Accounts, which was read as follows and adopted:—

Your Committee has had produced before it, the Public Accounts of the Province of Ontario for 1933, together with documents and correspondence, and has heard evidence in connection with the following:—

Bergman Construction Company, Limited, Number 32.48, concrete pavement, Guelph Waterloo Townships, Hespeler-Guelph project, \$40,440.40, page L 18, Public Accounts, 1933.

Witness examined: R. M. Smith, Deputy Minister of Highways.

Revenue Statement, Department of Attorney-General, Liquor Control Board. Profits, Fines, Licenses, etc., \$5,515,000. Permit Fees, \$485,000. Page 11, Public Accounts, 1933.

Witnesses examined: Stewart McClenaghan, Chairman, Liquor Control Board; Jno. T. White, Deputy Provincial Treasurer; J. A. McGeachie, Accountant, Liquor Control Board.

Documents produced:—

Exhibit No. 1—Cheque for \$65,000 issued by Liquor Control Board to the Treasurer of Ontario, representing purchase of confiscated stock, 1933.

Exhibit No. 2—Cheques for the amount of \$485,000 issued by the Liquor Control Board to the Provincial Treasurer, representing sale of permits, 1933.

Exhibit No. 3—Cheques for the amount of \$5,450,000 issued by the Liquor Control Board to the Provincial Treasurer, representing profits, 1933.

Exhibit No. 4—Balance Sheet, October 31st, 1933, Liquor Control Board.

Exhibit No. 5—Stock purchased November 1st, 1932, to October 31st, 1933.

Exhibit No. 6—Statements showing confiscated stock taken over by Liquor Control Board.

Your Committee also investigated the charges made in the House on Thursday, March 15th, by the Member for Wellington, South, to the effect that J. R. Gunning, while employed as a foreman by the Department of Public Highways on the Talbotville Division, and during the years 1929 and 1930, falsify the pay sheets certified by him and as a result did obtain money from the Department for which no return in work or labour was made.

Witnesses examined: Hon. Leopold Macaulay, Minister of Highways; R. M. Smith, Deputy Minister of Highways; W. H. Brown, Accountant, Department of Highways; Hugh McPherson, District Engineer; Jas. R. Gunning, Foreman, Talbotville, Ont.; Norman Milligan, Talbotville, Ont.; Colin McCallum, Talbotville, Ont.; Rev. Robt. Copeland, London, Ont.; Wilfred Fife, Talbotville, Ont.; E. P. Boughner, Talbotville, Ont.; Jno. Gunning, Talbotville, Ont.; Harold Knight, Talbotville, Ont.; Mrs. Jas. R. Gunning, Talbotville, Ont.; Jno. Brown, Talbotville, Ont.; Henry M. Walker, Talbotville, Ont.; Cameron Sutton, Talbotville, Ont.; William Hicks, Talbotville, Ont.

Documents produced:—

Exhibit No. 1—Copy of letter dated December 6th, 1933, from the Honourable the Premier; letter, December 4th, 1933, from Henry M. Walker to the Prime Minister; copy of letter from Minister of Highways, dated December 15th, 1933; and copy of letter dated December 16th, 1933, from the Prime Minister to Walker.

Exhibit No. 2—Letter dated September 10th, 1932, received October 12th, 1932, from H. M. Walker to Superintendent of Highways, Toronto.

Exhibit No. 3—Copy of report dated October 19th, 1932, from D. C. Shervill to the District Inspector, O. P. Police, London.

Exhibit No. 4—Cheque dated Toronto, May 6th, 1932, to W. Fife, for \$44.00, P.L. 71917.

Exhibit No. 5—Pay List No. 71917, dated May 2nd, 1930.

Exhibit No. 6—Time Book, April 16th to 30th.

Exhibit No. 7—Cheques dated April 22nd, 1930, to W. Fife for \$37.95, P.L. 71606.

Exhibit No. 8—Pay List No. 71606, dated April 16th, 1930, from 1st April to 15th April, 1930.

Exhibit No. 9—Time Book, April 1st to 15th, 1930.

Exhibit No. 10—Cheque dated January 20th, 1930, to W. Fife for \$6.05, P.L. 70234.

Exhibit No. 11—Pay List No. 70234, dated January 18th, 1930, from 1st to 15th January, 1930.

Exhibit No. 12—Package of correspondence.

Exhibit No. 13—Memo dated March 1st, 1933, from H. E. Macpherson, Resident Engineer, to Mr. Smith.

Exhibit No. 14—Letter dated March 2nd, 1934, from Mr. Brown to Mr. Macpherson.

Exhibit No. 15—Memorandum dated March 11th, 1933, from W. H. Brown, for R. M. Smith, with copy of report by D. C. Shervill, dated October 19th, 1932.

Exhibit No. 16—Copy of letter dated June 12th, 1933, from W. H. Brown to H. E. Macpherson; and memorandum dated June 14th, 1933, from Macpherson to Brown.

Exhibit No. 17—Bundle of correspondence between Foley and Myers and the Department of Highways.

Exhibit No. 18—Copy of letter from the Deputy Minister dated January 11th, 1934, to J. T. Webster.

Exhibit No. 19—Cheque, December 3rd, 1929, to J. Brown, \$5.50; P.L. 69468, showing 10 hours at 55 cents, \$5.50.

Exhibit No. 20—Declarations made by H. M. Walker and John Brown, with copies of pay sheets.

Exhibit No. 21—Pay Lists.

Exhibit No. 22—Cheques.

Exhibit No. 23—Large book of records of Talbotville United Church.

Exhibit No. 24—Annual Report of Talbotville United Church, 1930.

Exhibit No. 25—Summary of attached labour sheets.

Exhibit No. 26—Two cheques, Department of Highways, May 6th, 1930, payable to E. P. Boughner.

Exhibit No. 27—Department of Public Highways, Pay List No. 65655, April 2nd, 1929.

Exhibit No. 28—Department of Public Highways, Pay List No. 65806, April 17th 1929, with cheque to John Brown, April 18th, 1929, for \$5, attached.

Your Committee held eight meetings and examined in all twenty-one witnesses. The minutes of the Committee and the evidence taken before said

Committee will be produced to the Clerk of the Legislative Assembly in due course.

Your Committee recommends that the minutes of the Committee and the evidence submitted be published as an appendix to the Journals of the House for the present Session.

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The following Bills were severally introduced and read the first time:—

Bill (No. 155), intituled "An Act to amend The Forest Fires Prevention Act." *Mr. Finlayson.*

*Ordered,* That the Bill be read a second time To-morrow.

Bill (No. 156), intituled "The Ontario Marketing Act, 1934." *Mr. Kennedy (Peel).*

*Ordered,* That the Bill be read the second time To-morrow.

Bill (No. 157), intituled "An Act to amend The Public Vehicles Act." *Mr. Macaulay.*

*Ordered,* That the Bill be read a second time To-morrow.

Bill (No. 158), intituled "An Act respecting The Handling of Gasoline." *Mr. Macaulay.*

*Ordered,* That the Bill be read the second time To-morrow.

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Mr. Taylor asked the following Question (No. 70):—

1. How many retail gasoline vendors are in arrears in paying the gasoline tax to the Government. 2. What is the total amount of the arrears. 3. What are the names and addresses of the vendors and the amount in arrears, and how long have the arrears been standing in each instance.

The Honourable the Minister of Public Works and Highways replied as follows:—

1. Nine. 2. \$33,905.95. 3. (1) Lucky Strike Oil Company, London, \$4,000.00, August, 1932; in bankruptcy—claim filed. (2) Lumsden Oil Company, London, \$3,706.71, March, 1932, in bankruptcy—claim filed. (3) Power Oil Company, Peterborough, \$2,386.88, December, 1932. (4) Caulton Service Station, Toronto, \$1,166.05, July, 1932. (5) Soo Gas and Oil Company, Limited, Sault Ste. Marie, \$11,045.75, June, 1932. (6) Border Cities Oil Company, Windsor, \$3,949.11, October, 1931. (7) Newell Brothers, Windsor, \$6,860.84, April, 1932. (8) E. Bristow, Barrie, \$444.89; August, 1932. (9) H. A. Rose, Zurich, \$345.74, March, 1933. Payments on account are being received from time to time.



Mr. Simpson asked the following Question (No. 107):—

1. How many Mothers' Allowances had their allowances reduced, and what was the total amount of such reductions for the last fiscal year. 2. How many receiving Mothers' Allowances were completely cut off, and what was the total amount of such deductions for the last fiscal year.

The Honourable the Minister of Public Welfare replied as follows:—

1. No reductions other than Statutory reductions by reason of improved assets or children attaining their sixteenth birthday. 2. Number of cancellations (other than Statutory cancellations) eighty-seven. Total amount of such cancellations, \$47,584.00.

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Mr. Hutchinson asked the following Question (No. 112):—

1. How many inspectors were appointed under The Public Commercial Vehicles Act in 1932 and 1933. 2. What are the names of the inspectors. 3. When were they appointed. 4. What wages are they receiving. 5. How many infractions of the Act has each inspector reported in 1932, in 1933, and 1934. 6. In how many cases was action taken. 7. How many convictions were obtained. 8. How many actions were taken for infraction of the restrictions on hours of service. 9. How many convictions were obtained and what was the total amount of fines imposed.

The Honourable the Minister of Public Works and Highways replied as follows:—

1. None. 2. T. S. Cumber, E. M. Cockin, J. J. Smith, W. E. Laxton, W. J. Arnold, A. G. Hovey, and P. S. Pedlar. 3. T. S. Cumber appointed September, 1931; E. M. Cockin appointed October, 1931; J. J. Smith appointed October, 1931; W. E. Laxton appointed July, 1931; W. J. Arnold appointed August, 1931; A. G. Hovey appointed January, 1930; P. S. Pedlar appointed March, 1930. 4. T. S. Cumber, \$1,200.00 per year; E. M. Cockin, \$1,200.00 per year; J. J. Smith, \$1,200.00 per year; W. E. Laxton, \$1,600.00 per year; W. J. Arnold, \$1,700.00 per year; A. G. Hovey, \$1,700.00 per year; P. S. Pedlar, \$2,196.00 per year. 5. Complete information beyond the number of prosecutions conducted is not available. 6. Two hundred and one prosecutions were conducted. Complete statistics of numerous cases dealt with without recourse to prosecution are not available. 7. One hundred and sixty-three. 8. Twelve were prosecuted. In addition four licenses were suspended for varying periods by order of the Minister. 9. One hundred and sixty-three convictions \$1,320.00 total fines.

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Mr. Hipel asked the following Question (No. 123):—

1. What amount of capital charges or bonds applying to the net debt of the Province have been actually paid and not reloaded or absorbed in other loans as they became due during each of the fiscal years ending October 31st, 1931, 1932 and 1933.

The Honourable the Prime Minister replied as follows:—

1. All bonds maturing in each of the fiscal years ending October 31st, 1931, 1932 and 1933 were absorbed in other loans, except the portion provided by the Hydro-Electric Power Commission in accordance with the Debt Retirement Plan.

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Mr. Bragg asked the following Question (No. 127):—

1. What year did the Ontario Hydro-Electric Commission start serving the Village of Sydenham with electric power. 2. Did Frank Anglin enter into the negotiations. 3. What did the Commission purchase from Anglin. 4. What was the price paid. 5. Who investigated and valued the equipment previous to purchase being made. 6. Who recommended the purchase. 7. What did the consumers or customers pay for power from Anglin. 8. What do they now pay. 9. In this Anglin the party who failed to file nomination papers as opposition candidate for the Provincial Riding of Addington in the general election of 1926 after having campaigned for some time.

The Honourable Mr. Cooke replied as follows:—

1. 1930. 2. Yes. 3. His electric distribution system, lines and equipments on the streets of the Municipality of Sydenham. 4. The Commission considers it would be a breach of confidence to give data on matters in which others are involved both financially and otherwise. It could not justify the divulging of information that it might necessarily be required to keep confidential without approval of the other party interested. 5. The Commission's engineers. 6. The Hydro-Electric Power Commission. 7. Eight kilowatt hours per month for \$1.25, 10 cents per kilowatt hour for all additional use. 8. Standard rural rates for hamlets, with consumption rates of 5 cents for the first 30 kilowatt hours and 2 cents for all additional consumption. 9. No information.

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Mr. Baxter asked the following Question (No. 129):—

1. What connection, if any, has the Central Supply Warehouse with the Provincial Government. 2. Is this a partnership or an incorporated company. If so, who are the partners, directors or shareholders. 3. How much business have they obtained from the Provincial Government supplying clothing to those on relief. 4. Has the Provincial Government or any Department any control over prices that the Central Supply Warehouse shall charge for relief clothing any more than over any other merchant. 5. How many stores or warehouses has the Central Supply Company in the Province of Ontario and where are these located.

The Honourable the Minister of Health and Labour replied as follows:—

1. None. 2. (a) Partnership. (b) Thomas W. Learie, R. B. Sparks. 3. \$235,916.00 of which the Dominion refunded 50 per cent. 4. Price lists are

submitted from time to time to the Government. 5. (a) Two. (b) Toronto and Sudbury.

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Mr. Newman asked the following Question (No. 131):—

1. What is the cost to the Hydro-Electric Power Commission of installing the water heater recently introduced by them in the average home. 2. What was the total cost to the Commission of installing these heaters in 1933. 3. What was the total cost of advertising these heaters for the year 1933. 4. How many of these water heaters were installed in 1933. 5. What is the increase in consumption of power on account of these water heaters. 6. When will this cost of installation of water heaters be paid for by the increase in consumption of power. 7. Do the municipalities have to guarantee or approve of the private consumer's application for the installation of these heaters. 8. Is there a plan proposed for free electric ranges similar to the plan of free water heaters.

The Honourable Mr. Cooke replied as follows:—

1. \$22.00 for flat-rate heaters; \$10.50 for booster heaters (not free). 2. Estimated Cost: 11,732 heaters at \$22.00, \$258,104.00; 1,460 boosters at \$10.50, \$15,330.00 (not free); Total, \$273,434.00. Expenditures to December 31st, 1933, \$192,294.22. 3. \$32,249.99. 4. Flat-rate heaters, 11,732; booster heaters, 1,460 (not free); Total, 13,192. 5. Approximately one horsepower per heater. 6. In less than one year from date of installation. 7. Yes. 8. No.

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Mr. Taylor asked the following Question (No. 134):—

1. Has the amount of \$149,687.97 appearing in the statement Accounts Receivable, page 37, Public Accounts, as "Mothers' Allowance—Municipalities," been paid in full to the Province. 2. If so, on what date was it received. 3. Was this amount cross-entried off, or deducted from the statement of Capital Expenditure, Mothers' Allowance Commission as of October 31st, 1933.

The Honourable the Minister of Public Welfare replied as follows:—

1. \$118,285.47 has been paid to date. 2. On various dates during the months of: November, 1933, \$61,318.85; December, 1933, \$52,836.62; January, 1934, \$470.00; February, 1934, \$3,155.00; March, 1934, \$505.00. 3. No. Disbursements made by the Province are classified as follows: 1. Ordinary Expenditure. 2. Capital Expenditure. 3. Loan Advances. 4. Special Fund Repayments. The disbursement of \$149,687.97 is classified as a Loan Advance as shown on page U 2 of the Public Accounts as it represents the unpaid portion, as at October 31st, 1933, of the municipalities' share of disbursements made by the Province on account of Mothers' Allowances for the fiscal year 1933.

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Mr. Slack asked the following Question (No. 135):—



1. Has the amount of \$1,248,436.44 appearing in statement Accounts Receivable, page 37, Public Accounts, as "Old Age Pensions Dominion Government, Municipalities and other Provinces," been paid in full to the Province. 2. If so, on what date was it received. 3. Was this amount cross-entried off or deducted from the statement of Capital Expenditure for Old Age Pensions as of October 31st, 1933.

The Honourable the Minister of Public Welfare replied as follows:—

1. \$1,230,436.34 has been paid to date. 2. From Dominion Government, February 7th, 1934, \$1,146,479.31. From municipalities on various dates during: November, 1933, \$30,356.15; December, 1933, \$47,604.75; January, 1934, nil; February, 1934, \$1,447.96; March, 1934, \$4,548.17. 3. No. Disbursements made by the Province are classified as follows: 1. Ordinary Expenditure. 2. Capital Expenditure. 3. Loan Advances. 4. Special Fund Repayments. The disbursement of \$1,248,436.44 is classified as a Loan Advance as shown on page U 2 of the Public Accounts as it represents the unpaid portion, as at October 31st, 1933, of the Dominion Government and municipalities' share of disbursements made by the Province on account of Old Age Pensions for the fiscal year 1933.

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Mr. Taylor asked the following Question (No. 136):—

1. Has the amount of \$2,485,257.37, appearing in statement Accounts Receivable, page 37, Public Accounts, as "Unemployment Relief, Dominion Government," been paid in full to the Province. 2. If so, on what date was it received. 3. Was this amount cross-entried off or deducted from the statement of Capital Expenditure for Unemployment Relief as of October 31st, 1933.

The Honourable the Minister of Health and Labour replied as follows:—

1. No. 2. See answer to No. 1. 3. No. Disbursements made by the Province are classified as follows: (1) Ordinary Expenditure. (2) Capital Expenditure. (3) Loan Advances. (4) Special Fund Repayments. The disbursement of \$2,485,257.37 is classified as a Loan Advance as shown on page U 2 of the Public Accounts as it represents the unpaid portion, as at October 31st, 1933, of the Dominion Government's share of disbursements made by the Province on account of Unemployment Relief for the fiscal year 1933.

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Mr. Medd asked the following Question (No. 137):—

1. Has the amount of \$30,893.35, appearing in statement Accounts Receivable, page 37, Public Accounts, as "Back-to-the-Land Movement, Dominion Government," been paid in full to the Province. 2. If so, on what date was it received. 3. Was this amount cross-entried off or deducted from the statement of Capital Expenditure for Back-to-the-Land Movement as of October 31st, 1933.

The Honourable the Minister of Lands and Forests replied as follows:—



1. No. 2. On February 13th, 1934, \$8,113.74 was paid, and on February 17th, 1934, \$589.31 was paid; Total, \$8,703.05. 3. No. Disbursements made by the Province are classified as follows: (1) Ordinary Expenditure. (2) Capital Expenditure. (3) Loan Advances. (4) Special Fund Repayments. The disbursement of \$30,893.35 is classified as a Loan Advance as shown on page U 1 of the Public Accounts as it represents the unpaid portion as at October 31st, 1933, of the Dominion Government's share of disbursements made by the Province on account of the Back-to-the-Land Movement for the fiscal year 1933.

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Mr. Ross asked the following Question (No. 138):—

1. Has the amount of \$407,926.04, appearing in statement Accounts Receivable, page 37, Public Accounts, as "Highways, Municipalities Maintenance of Highways, etc.," been paid in full to the Province. 2. If so, on what date was it received. 3. Was this amount cross-entried off or deducted from the statement of Expenditure for Highways as of October 31st, 1933. 4. Was any of this amount deducted from the statement of Ordinary Expenditure. If so, how much.

The Honourable the Minister of Public Works and Highways replied as follows:—

1. No. Payments are being made by municipalities as their finances permit. The amount already paid, from November 1st, 1933, to March 26th, 1934, is \$72,194.32. 2. Answered by No. 1. 3. No. Payments made during the present fiscal year will be shown in Public Accounts for this period. 4. No.

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The Order of the Day for the second reading of Bill (No. 140), An Act to amend The Liquor Control Act, having been read,

Mr. Price (Parkdale) moved,

That the Bill be now read the second time.

And a Debate arising, after some time, the Motion having been put was carried on the following Division:—

#### YEAS

Acres	Calder	Ecclestone
Aubin	Campbell	Elliott
Baird	Case	Finlayson
Bell	Challies	Freele
Berry	Clark	Graham
Black	Colliver	Graves
Blakelock	Cooke	Hambly
Blanchard	Craig	Harrison
Burt	Davis	Heighington

YEAS—*Continued*

Henry	Morrison	Sangster
Hill	Munro	Scholfield
Hipel	Murphy	Shaver
Hogarth	(St. Patrick)	Shields
Honeywell	Murphy	Simpson
Hutchinson	(Beaches)	Singer
Ireland	Murray	Slack
Jamieson	McBrien	Smith
Jutten	McCrea	(Essex, South)
Kennedy	McLean	Smith
(Temiskaming)	McMillen	(Greenwood)
Kennedy	McNaughton	Spence
(Peel)	Nesbitt	Staples
Kenning	Nixon	Stedman
Lancaster	Poisson	Strickland
Laughton	Price	Taylor
Lyons	(York, West)	Vaughan
Macaulay	Price	Waters
Mackay	(Parkdale)	Willson
Mahony	Raven	(Niagara Falls)
Martin	Reid	Wilson
(Hamilton, West)	Richardson	(Windsor, East)
Martin	Robb	Wilson
(Brantford)	St. Denis	(Lincoln)
Moore	Sanderson	Wright—89.

## NAYS

Bragg	Newman	Ross
Medd	Oliver	Sinclair
McQuibban	Robertson	Tweed—9.

And the Bill was read a second time accordingly.

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The following Bills were severally read the second time:—

Bill (No. 136), An Act respecting Pipefitters.

Referred to Standing Committee on Labour.

Bill (No. 150), The Statute Law Amendment Act, 1934.

Referred to a Committee of the Whole House To-morrow.

Bill (No. 152), An Act to amend The Liquor Control Act.

Referred to a Committee of the Whole House To-morrow.

Bill (No. 151), An Act to amend The Provincial Parks Act.

Referred to a Committee of the Whole House To-morrow.

Bill (No. 154), An Act to amend The Ontario Fruit Act, 1933.

Referred to a Committee of the Whole House To-morrow.

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The Order of the Day for the second reading of Bill (No. 137), The Provincial Elections (Public Meetings) Act, 1934, having been read,

*Ordered*, That the Order be discharged, and that the Bill be withdrawn.

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The Order of the Day for the second reading of Bill (No. 153), An Act to amend The Workmen's Compensation Act, having been read,

*Ordered*, That the Order be discharged, and that the Bill be withdrawn.

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The House resolved itself into a Committee to consider Bill (No. 141), The Federal District Commission Act, 1934, and, after some time spent therein, Mr. Speaker resumed the Chair; and Mr. Mahony reported, That the Committee had directed him to report the Bill without any amendment.

*Ordered*, That the Bill be read the third time To-morrow.

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The House resolved itself into a Committee to consider Bill (No. 149), An Act respecting Subsidies for Seed Grain, and, after some time spent therein, Mr. Speaker resumed the Chair; and Mr. Mahony reported, That the Committee had directed him to report the Bill without any amendment.

*Ordered*, That the Bill be read the third time To-morrow.

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The House resolved itself into a Committee to consider Bill (No. 132), An Act respecting Woodmen's Employment Investigation, and, after some time spent therein, Mr. Speaker resumed the Chair; and Mr. Mahony reported, That the Committee had directed him to report the Bill without any amendment.

*Ordered*, That the Bill be read the third time To-morrow.

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The House resolved itself into a Committee to consider Bill (No. 134),

An Act for Raising Money on the Credit of the Consolidated Revenue Fund, and, after some time spent therein, Mr. Speaker resumed the Chair; and Mr. Mahony reported, That the Committee had directed him to report the Bill without any amendment.

*Ordered*, That the Bill be read the third time To-morrow.

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The House resolved itself into a Committee to consider Bill (No. 138), An Act to amend The Representation Act, 1933, and, after some time spent therein, Mr. Speaker resumed the Chair; and Mr. Mahony reported, That the Committee had directed him to report the Bill without any amendment.

*Ordered*, That the Bill be read the third time To-morrow.

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The House resolved itself into a Committee to consider Bill (No. 139), An Act to amend The Northern Development Act, and, after some time spent therein, Mr. Speaker resumed the Chair; and Mr. Mahony reported, That the Committee had directed him to report the Bill without any amendment.

*Ordered*, That the Bill be read the third time To-morrow.

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The House resolved itself into a Committee to consider Bill (No. 144), The Municipal Amendment Act, 1934, and, after some time spent therein, Mr. Speaker resumed the Chair; and Mr. Mahony reported, That the Committee had directed him to report the Bill without any amendment.

*Ordered*, That the Bill be read the third time To-morrow.

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The House resolved itself into a Committee to consider Bill (No. 145), The Assessment Amendment Act, 1934, and, after some time spent therein, Mr. Speaker resumed the Chair; and Mr. Mahony reported, That the Committee had directed him to report the Bill without any amendment.

*Ordered*, That the Bill be read the third time To-morrow.

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The House resolved itself into a Committee to consider Bill (No. 147), An Act to amend The Crown Timber Act, and, after some time spent therein, Mr. Speaker resumed the Chair; and Mr. Mahony reported, That the Committee had directed him to report the Bill without any amendment.

*Ordered*, That the Bill be read the third time To-morrow.



The House resolved itself into a Committee to consider Bill (No. 146), An Act to amend The Game and Fisheries Act, and, after some time spent therein, Mr. Speaker resumed the Chair; and Mr. Mahony reported, That the Committee had directed him to report the Bill without any amendment.

*Ordered*, That the Bill be read the third time To-morrow.

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The House resolved itself into a Committee to consider Bill (No. 148), An Act to amend The Magistrates Act, and, after some time spent therein, Mr. Speaker resumed the Chair; and Mr. Mahony reported, That the Committee had directed him to report the Bill with certain amendments.

*Ordered*, That the amendments be taken into consideration forthwith.

The amendments, having been read the second time, were agreed to.

*Ordered*, That the Bill be read the third time To-morrow.

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The House resolved itself into a Committee to consider Bill (No. 143), An Act to amend The Deserted Wives' and Children's Maintenance Act, and, after some time spent therein, Mr. Speaker resumed the Chair; and Mr. Mahony reported, That the Committee had directed him to report the Bill without any amendment.

*Ordered*, That the Bill be read the third time To-morrow.

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The House resolved itself into a Committee to consider Bill (No. 127), An Act to amend The Mortgagors' and Purchasers' Relief Act, and, after some time spent therein, Mr. Speaker resumed the Chair; and Mr. Mahony reported, That the Committee had directed him to report the Bill without any amendment.

*Ordered*, That the Bill be read the third time To-morrow.

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The Provincial Secretary presented to the House, by command of The Honourable the Lieutenant-Governor:—

Report of the Civil Service Commissioner of Ontario for year ending October 31st, 1933. (*Sessional Papers No. 54.*)

Also, Report of the Department of Agriculture, Ontario, for year ending October 31st, 1933. (*Sessional Papers No. 21.*)

Also, Report of the Statistics Branch, Ontario Department of Agriculture, 1933. (*Sessional Papers No. 22.*)

Also, Report of Registrar of Loan Corporations for Province of Ontario for year ending December 31st, 1933. (*Sessional Papers No. 7.*)

Also, Report of the Superintendent of Insurance for year ending December 31st, 1933. (*Sessional Papers No. 6.*)

Also, Report of the Department of Education, 1933. (*Sessional Papers No. 11.*)

Also, Report relating to Registration of Births, Marriages and Deaths, Ontario, for year ending December 31st, 1933. (*Sessional Papers No. 13.*)

Also, Report of Ontario Veterinary College for year 1933. (*Sessional Papers No. 29.*)

Also, Return to an Order of the House that there be laid before the House a Return showing copies of all correspondence regarding the dismissals and superannuations of all Park Rangers in Algonquin Park since 1930. (*Sessional Papers No. 55.*)

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The House then adjourned at 11.40 p.m.

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### WEDNESDAY, MARCH 28TH, 1934

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PRAYERS.

3 O'CLOCK P.M.

Mr. Price from the Standing Committee on Private Bills presented their Eighth Report, which was read as follows and adopted:—

Your Committee beg to report the following Bill with certain amendments:—

Bill (No. 27), An Act respecting the University of Regiopolis.

Your Committee recommend that the fees less the penalties and the actual cost of printing be remitted on Bill (No. 27), An Act respecting the University of Regiopolis, on the ground that it relates to an educational institution.

*Ordered*, That the fees less the penalties and the actual cost of printing be remitted on Bill (No. 27), An Act respecting the University of Regiopolis, on the ground that it relates to an educational institution.

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Mr. Morrison from the Standing Committee on Labour presented their Report, which was read as follows and adopted:—

Your Standing Committee on Labour begs leave to present the following as its Report:—

Your Committee has carefully considered the provisions of Bill (No. 136), An Act respecting Pipefitters, and recommends that the Bill be not further proceeded with.

Your Committee is in accord with the principle of the Bill, but considers that further investigation should be made by the Department of Labour into the general principle of licensing Pipefitters, Electricians, Steamfitters and Plumbers, and also, proper Municipal or Provincial Inspection of installation work and materials.

In connection with the resolution moved by Mr. Nesbitt and seconded by Mr. Morrison and referred to the Committee by the Assembly on March 19th, 1934:—

That in the opinion of this House the Government should give early and serious consideration to an amendment to the law governing the submission of tenders and the awarding of contracts for the construction of buildings, highways and other works for the purpose of improving the standards and conditions of building and construction work generally, to provide that general contractors when submitting tenders shall submit a list of their sub-contractors and the amount of each sub-tender and providing that the successful tenderer shall award the sub-contracts according to the list so submitted.

The Committee met on March 20th, 23rd, 26th, and 27th, for the purpose of considering the said resolution. Representatives from the general contractors, sub-contractors, and from both the International and Amalgamated Trades Organizations were heard. Every Branch of the Trades Organizations took advantage of the opportunity given them to present their views. It was the unanimous opinion of all that the Building Trade was in a very chaotic state and that some compulsory legislation should be devised and passed licensing not only the contractors and sub-contractors, but every one engaged in the Building Trade. The facts presented showed conclusively that the losses sustained were borne in the final analysis by the working man. The different representatives were given latitude to discuss the various matters pertaining to labour conditions generally. The matter of minimum wage, fair wage, hours of labour, inclusion of wage schedules in large contracts and duplicate contracts was discussed.

Your Committee recommends as follows:—

1. That the Government make a study of the N.R.A. Code, the licensing system in California and the South African Code and devise a licensing system applicable and appropriate to conditions which apply to the building industry throughout the length and breadth of Ontario.

2. That the general contractor, at the time of tendering, must produce the names of the sub-contractor whose figures have been used in making up his tender. At the time of awarding the tender, the general contractor shall produce the sub-contractor's prices on which his general contract was based and the sub-contracts shall be let to the sub-contractors on the figures produced.

3. At the time of submitting tenders for all public buildings and all public works the prevailing union rate of wages shall be set forth in order that all contractors shall be placed on the same basis of equality in submitting their tenders.

Your Committee regrets to say that the statements made before the Committee would indicate that there is an increasing number of contractors who operate only in the capacity of brokers and perform no work and derive their profits before even any of the material is on the job.

Ninety per cent. of those who appeared before the Committee were opposed to the Ontario Mechanics Lien Law and recommended that the Mechanics Lien Law should apply to labour only. In their opinion supply houses were taking advantage of this law to extend credit to unreliable and irresponsible contractors to the detriment of legitimate contractors and trade in general. The reason advanced by the witnesses for the exclusion of all except the working man was that the supply house might have a prior lien without the knowledge of the working man, who in turn, by making use of the material in the building really created the only value on which a lien could be registered.

Your Committee further recommends that a Sub-committee be appointed to make a thorough study and investigation into all conditions pertaining to the Trade and Construction Industry including unemployment and every phase of the said industry during the recess and report back to the House at the next Session of the Legislature, the said Sub-committee to consist of Messrs. Morrison, Nesbitt, Murphy (Beaches), Hutchinson and Robertson. The said Sub-committee to act without payment of fees.

*Ordered*, That a Sub-committee be appointed to make a thorough study and investigation into all conditions pertaining to the Trade and Construction Industry including unemployment and every phase of the said industry during the recess and report back to the House at the next Session of the Legislature, the said Sub-committee to consist of Messrs. Morrison, Nesbitt, Murphy (Beaches), Hutchinson and Robertson. The said Sub-committee to act without payment of fees.

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The following Bills were read the third time and were passed:—

Bill (No. 42), The School Law Amendment Act, 1934.

Bill (No. 79), An Act to amend The Loan and Trust Corporation Act.

Bill (No. 46), An Act to amend The Conveyancing and Law of Property Act.

Bill (No. 115), An Act to amend The Mining Act.

Bill (No. 52), An Act to amend The Registry Act.

Bill (No. 84), An Act to amend The Division Courts Act.



Bill (No. 110), An Act to amend The Public Parks Act.

Bill (No. 120), An Act to amend The Ditches and Watercourses Act.

Bill (No. 124), An Act to amend The Unemployment Relief Act, 1933.

Bill (No. 133), An Act to amend The Weed Control Act.

Bill (No. 119), The Northern Ontario Appropriation Act, 1934.

Bill (No. 118), An Act to amend The Insurance Act.

Bill (No. 91), The Highway Traffic Act, 1934.

Bill (No. 43), The Public Commercial Vehicle Act, 1934.

Bill (No. 125), An Act to amend The Minimum Wage Act.

Bill (No. 141), The Federal District Commission Act, 1934.

Bill (No. 149), An Act respecting Subsidies for Seed Grain.

Bill (No. 132), An Act respecting Woodmen's Employment Investigation.

Bill (No. 134), An Act for Raising Money on the Credit of the Consolidated Revenue Fund.

Bill (No. 138), An Act to amend The Representation Act, 1933.

Bill (No. 139), An Act to amend The Northern Development Act.

Bill (No. 144), The Municipal Amendment Act, 1934.

Bill (No. 145), The Assessment Amendment Act, 1934.

Bill (No. 146), An Act to amend The Game and Fisheries Act.

Bill (No. 147), An Act to amend The Crown Timber Act.

Bill (No. 148), An Act to amend The Magistrates Act.

Bill (No. 127), An Act to amend The Mortgagors' and Purchasers' Relief Act.

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Mr. Robertson asked the following Question (No. 98):—

1. What sums were paid to Strachan Johnston, K.C., and to W. N. Tilley, K.C., and to their firms and members of their firms during the years 1928, 1929, 1930, 1931, 1932 and 1933 by the Ontario Government, the Ontario Hydro-Electric Power Commission or by any Department of the Ontario Government for legal services and for what legal services respectively were such sums paid

and upon what dates. 2. Were the bills for such services taxed by a taxing officer or were they paid upon the certificate of an Ontario Government official. 3. If paid upon certificate, who were the officials who certified as to the reasonableness of such bills.

The Honourable the Prime Minister replied as follows:—

Legislation:—

1. 1930: September 5th, 1930, Services of Mr. Strachan Johnston *re* brokers' bill, Public Accounts, 1930, page C 5. 2. Allowed by the Deputy Attorney-General. 3. Paid on the certificate of the Legislative Accountant.

Department of the Prime Minister:—

1. 1932: Royal Commission of Investigation into the purchase of certain properties by the Hydro-Electric Commission of Ontario, expenses of witnesses, Public Accounts, 1932, page B 9. 2. and 3. Not taxed by taxing officer. Paid on the certificate of the Secretary of the Royal Commission. 1. 1933: Preparation of St. Lawrence Agreement between the Dominion of Canada and the Province of Ontario, Public Accounts, 1933, page B 12. 2. Not taxed by taxing officer, paid on official certificate. 3. Reasonableness of charge certified by the Deputy Attorney-General.

Department of the Attorney-General:—

1. 1928: Nil. 1929: *Re* Water Powers Reference, July 29th, 1929, Public Accounts, 1930, page D 10. 1. 1930: Rex vs. Smart and Young; Rex vs. Solloway and Mills; Rex vs. Patterson, Campbell and McLean; Rex vs. Heppleston, Shutt and Wray; Rex vs. Stobie, Furlong and Draper; Rex vs. Mowat and MacGillivray, Public Accounts, 1931, page D 20. 1931: Above prosecutions: January 13th, 1931, on account; February 21st, 1931, on account; June 23rd, 1931, on account; Rex vs. Smart and Young, Rex vs. Patterson and Campbell, Rex vs. Stobie and Furlong (Appeals, June 23rd, 1931), Public Accounts, 1931, page D 22. 1932: Rex vs. Johnston, Clark and Thomas, November 3rd, 1931, on account; Rex vs. Solloway and Mills, November 3rd, Public Accounts, 1932, page D 21; Rev. vs. Johnston, Clark and Thomas, January 11th, 1932, balance; Rex vs. Johnston, Clark and Thomas, appeal, January 11th, 1932, Public Accounts, 1932, page D 34; City of Toronto vs. The King, January 5th, 1932, Public Accounts, 1932, page D 10; Attorney-General of Ontario vs. Attorney-General of Canada, January 5th, 1932; Quebec Insurance Reference, January 5th, 1932, Public Accounts, 1932, page D 10; *Re* Proprietary Articles Trade Association, appeal, January 5th, 1932, Public Accounts, 1932, page D 10. 1. 1933: Nil. 2. The bills were not taxed by the taxing officer. 3. They were paid on the certificate of the Deputy Attorney-General.

Department of Lands and Forests:—

1. 1929: *Re* Lac Seul Dam, Public Accounts, 1929, page G 15. 2. Not taxed by the taxing officer. 3. Certified by the Surveyor-General of Ontario.

Department of Education:—

1, 2, and 3.: January 10th, 1928, Tilley, Johnston, Thomson and Parmenter,

on account, *re* litigation Tiny versus The King, Public Accounts, 1927-28, page F 57. December 31st, 1928, Paid to Tilley, Johnston, Thomson and Parmenter, balance due *re* litigation, Tiny versus The King. This account and the previous payment were not taxed; the amount was paid on recommendation of the Minister of Education. Public Accounts, 1928-29, page F 59. December 18th, 1931, Paid Tilley, Johnston, Thomson and Parmenter, *re* litigation, Mackell injunction. This account was not taxed; the amount was paid on certificate of the Deputy Minister of Education. Public Accounts, 1931-32, page F 63. No amounts paid during years 1929, 1930, 1932 or 1933.

Payments by the Hydro-Electric Power Commission of Ontario:—

1. Tilley, Johnston, Thomson and Parmenter, 1928: *Re* Port Colborne Elevator contract fee (paid August 27th, 1928), \$250.00; *Re* Beach versus Hydro, fee (paid December 22nd, 1927), \$350.00; Total for year 1928, \$600.00. 1929: *Re* Coniagas Reduction Company, fee (paid August 15th, 1929), \$500.00; *Re* Eldridge versus Southampton, fee (paid October 8th, 1929), \$500.00; *Re* Saugeen Electric Light & Power Company, fee (paid January 13th, 1930), \$300.00; *Re* Union Carbide Company, fee (paid January 13th, 1930), \$500.00; Total for year 1929, \$1,800.00. 1930: *Re* Dominion Power & Transmission Company for services in connection with the acquisition of assets of Dominion Power & Transmission Company, Ltd., fee (paid October 10th, 1930), \$60,000.00; disbursements, \$4,946.09; Total for year 1930, \$64,946.09. 1931: *Re* Coniagas Reduction Company versus Hydro, fee (paid July 9th, 1931), \$750.00; *Re* Chats Falls, fee (paid December 7th, 1931), \$1,200.00; *Re* St. Catharines versus Lincoln Electric, fee (paid October 22nd, 1931), \$150.00; Total for year 1931, \$2,100.00. 1932: *Re* Gatineau Power Company contract, fee (paid November 26th, 1931), \$100.00; *Re* Coniagas vs. Hydro, fee to cover Mr. Tilley's services preparing for and on argument of appeal (paid April 13th, 1931), \$250.00; *Re* Dominion Power & Transmission Company, fee (paid April 30th, 1931), \$50.00; Total for year 1932, \$400.00. 1933: *Re* Drummond vs. Hydro (paid January 16th, 1933), \$100.00; *Re* Coniagas Reduction Company vs. Hydro (paid June 15th, 1933), \$2,500.00; *Re* Ontario Power Service Corporation Ltd. (paid February 15th, 1933), \$10,000; Total for year 1933, \$12,600.00.

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Mr. McQuibban asked the following Question (No. 109):—

1. Are the Commissioners of the Hydro-Electric Commission permitted to carry on private business in addition to their public duties as Commissioners.
2. Are any other officials of the Hydro-Electric Commission permitted to carry on private business and who are they.

The Honourable Mr. Cooke replied as follows:—

1. Yes. 2. None during the time paid for by the Commission. Owing to existing conditions the hours of labour of a number of the Commission's employees have been shortened in order that as many as possible may be kept employed and the remuneration has been proportionately reduced. The Commission has no information as to the use such employees make of their time when free of duty.

Mr. Newman asked the following Question (No. 130):—

1. What is the rate per horsepower for Hydro-Electric power in Toronto, London, Ottawa, Hamilton and Peterborough.

The Honourable Mr. Cooke replied as follows:—

	Toronto	London	Hamilton	Ottawa	Peter- borough
Cost of power per horsepower to municipality for 1932.....	\$25.85	\$25.95	\$24.99	\$14.77	\$32.07
Base rate per horsepower to customers	21.00	18.00	20.00	20.00	18.00
Service charge:					
Per K.W., \$1.67 for 1st 7½ K.W..	1.67	.....	.....	.....	.....
Plus \$1.34 for remainder.....	1.34	.....	.....	.....	.....
Per H.P. ....	.....	1.00	1.00	1.00	1.00
Consumption charge:					
First 50 hours' use of load per month per kilowatt-hour.....	1.5	1.9	1.67	1.8	1.9
Second 50 hours' use of load per month per kilowatt-hour.....	0.75	1.2	1.11	1.20	1.20
All additional per kilowatt-hour...	0.33	0.33	0.133	0.15	0.33
Local discount, per cent.....	..	25	10	15	25
Prompt payment discount, per cent..	10	10	10	10	10

Mr. Ross asked the following Question (No. 133):—

What has been the total expenditure to date in connection with the Girls' Training School at Galt, including purchase of land, construction and furnishing.

The Honourable the Prime Minister replied as follows:—

\$280,979.12. The land was given to the Province by public-spirited citizens of Waterloo County.

Mr. Murray asked the following Question (No. 141):—

1. How much money has been paid up to date by the Government to the firm of Ecclestone Hardware Company, of Huntsville, for material to be used on the new Algonquin Park Road. 2. Has G. W. Ecclestone, Conservative Member for Muskoka, any connection with the Ecclestone Hardware Company of Huntsville. 3. Was any dynamite for the Algonquin Park road work ordered through the Ecclestone Hardware Company, of Huntsville. 4. What have been the detailed expenditures in wages and construction costs on the Algonquin Park Road to the present time.

The Honourable the Minister of Lands and Forests replied as follows:—

1. None. 2. Yes. 3. Answered by No. 1. 4. Expenditures on the Algonquin Park Road as per vouchers received to the 15th March, 1934: Wages, \$94,170.53; Materials, supplies, etc., \$51,226.59; Total, \$145,397.12.



Mr. Baxter asked the following Question (No. 139):—

1. Are there any medical health regulations in the unorganized districts. 2. If so, what are they. 3. Are the health regulations the same for industries in unorganized districts as for industries in organized districts.

The Honourable the Minister of Health and Labour replied as follows:—

1. Yes. 2. Regulations in pamphlet form can be obtained from the Department of Health. 3. No.

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Mr. Lancaster asked the following Question (No. 142):—

At the recent inquiry by the Royal Commission appointed to investigate and report upon certain matters concerning the Hydro-Electric Power Commission of Ontario: 1. What procedure was followed by the Royal Commission to ascertain the facts. 2. What was the finding of the Commission regarding the propriety of the payment by the Hydro-Electric Power Commission of Ontario to one John Aird, Jr., of the sum of \$50,000 in connection with the purchase by the Commission of the M. J. O'Brien power interests on the Mississippi and Madawaska Rivers. 3. What was the finding of the Commission regarding the payment of \$125,000 by the Beauharnois interests to John Aird, Jr., and the relationship, if any, of this payment to the purchase of power by the Hydro-Electric Power Commission of Ontario. 4. What was the finding of the Commission regarding the purchase by the Hydro-Electric Power Commission of the property, assets and undertaking of the Dominion Power and Transmission Company, Limited, and the price paid for these properties.

The Honourable Mr. Cooke replied as follows:—

1. Counsel representing the Aylmer Public Utilities Commission, Mr. C. Mortimer Bazean, Mayor of the City of Kitchener; Mr. Mitchell F. Hepburn, M.P.; Mr. W. E. N. Sinclair, M.L.A., K.C., and Mr. H. C. Nixon, M.L.A., appeared before the Commissioners and were given full liberty to cross-examine witnesses and to have witnesses subpoenaed who might, in their opinion, give relevant evidence. The Commissioners publicly requested persons having any relevant information to submit the facts so that they might be investigated. The Hydro-Electric Power Commission produced voluminous papers and records and its disclosure and production of documents was complete. The original Commissioner, the Hon. Mr. Justice Middleton, appointed Counsel to assist in the investigation and his services were continued by the subsequent Commissioners, Hon. Mr. Justice Orde and Hon. Messrs. Justice Riddell and Justice Sedgewick. 2. In view of the proven facts that it was made manifest by the owner of the property that Aird's claims must of necessity be settled, O'Brien mentioning 2½ per cent. as the proper amount to be paid Aird; and that the Hydro-Electric Power Commission's engineering staff were unanimous in the proposition to make an investment of \$1,850,000 as the "total cost of the property," and whether \$50,000 of that amount were paid directly to the owner or to the person he had stipulated "should receive consideration" was a matter of perfect indifference, the Royal Commission found that

"On the facts proved beyond controversy we have no doubt whatever of 'the propriety of the payment by the Hydro-Electric Power Commission of Ontario to John Aird, Jr., of the sum of \$50,000 in connection with the purchase by the Hydro-Electric Power Commission of Ontario of the M. J. O'Brien Limited power interests on the Mississippi and Madawaska Rivers and so respectfully report."

3. The Royal Commission after examining the evidence concluded that Aird did not receive the money with any intention that it should be passed on to any political party or that it should have any effect on the purchase of power by the Hydro-Electric Power Commission of Ontario, and the Royal Commission stated "it clearly had no such effect." The Commission found that

"while the payment of \$125,000 was made to Aird it had no relation to the purchase of power by the Hydro-Electric Power Commission of Ontario."

4. The Royal Commission, having considered the engineers' report that a 200,000 horsepower peak-load plant could be erected and so co-ordinated with the Hydro system as to warrant the Commission in paying \$21,000,000 for the Dominion Company's assets, treating the radial railways as having a scrap value only, which report was concurred in by the auditor and financial adviser of the Hydro-Electric Power Commission, found as follows:

"The purchase of the Dominion assets and undertaking resulted in many important advantages to the Commission. It made possible the production of peak power at a lower cost than it could be supplied by any other means; it prevented the undertaking being acquired by interests unfriendly to Hydro, a real menace at that time; it did away with the keenest possible competition in a large and important area of the Province; it eliminated the duplication of plant and services on highways; it stopped the installation in the same area of equipment for 25-cycle current for Hydro customers and 66 2/3 cycle for Dominion, a condition that made co-ordination of the two systems more difficult as time went on; it prevented the Dominion Company making contracts for power and expending large sums on proposed works which would increase the purchase price at a later date without any corresponding benefit to the Commission as a purchaser; and it also prevented competition between the two corporations for water that may in the future become available from Lake Erie."

"The operation of the properties independently by the Hydro shows a surplus after paying interest on purchase price, operation and maintenance charges, including those of the electric railways. The radial lines have been abandoned as contemplated when the purchase was made."

"We beg to report that after a most extensive search no trace was found of a single transaction in the Company's shares by any one having confidential information."

"We unhesitatingly find that the purchase in the circumstances existing at the time was in the public interest; was made after full and adequate investigation; was reasonable as to price and was not prompted by any motive other than the public good."

In its final report the Royal Commission, after reviewing the evidence and presenting its specific findings in regard to the questions submitted to it, added a general finding:

"We find that in respect of the matters inquired into the business and dealings of the Commission and its staff have in every respect been conducted on the highest business principles and with great skill and rectitude."

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On Motion of Mr. Robertson, seconded by Mr. Bragg,

*Ordered*, That there be laid before this House a Return showing: 1. What are the names of the companies or corporations issuing the insurance policies covering the Liquor Control Board. 2. What are the names of the agencies through which policies were issued. 3. What is the amount of premiums payable on individual policies.

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The following Bills were severally read the second time:—

Bill (No. 16), An Act respecting the Town of Walkerville.

Referred to a Committee of the Whole House To-morrow.

Bill (No. 155), An Act to amend The Forest Fires Prevention Act.

Referred to a Committee of the Whole House To-morrow.

Bill (No. 156), The Ontario Marketing Act, 1934.

Referred to a Committee of the Whole House To-morrow.

Bill (No. 157), An Act to amend The Public Vehicle Act.

Referred to a Committee of the Whole House To-morrow.

Bill (No. 158), An Act respecting The Handling of Gasoline.

Referred to a Committee of the Whole House To-morrow.

Bill (No. 142), An Act to amend The Power Commission Act.

Referred to a Committee of the Whole House To-morrow.

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The Order of the Day for the third reading of Bill (No. 49), An Act to amend The Trustees Act,

*Ordered*, That the Order be discharged, and that the Bill be forthwith again referred to a Committee of the Whole, with instructions to amend the same.

The House accordingly resolved itself into the Committee; and, after some time spent therein, Mr. Speaker resumed the Chair; and Mr. Mahony reported, That the Committee had amended the Bill as directed.

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The Order of the Day for the third reading of Bill (No. 44), An Act to amend The Trustee Act,

*Ordered*, That the Order be discharged, and that the Bill be forthwith again referred to a Committee of the Whole, with instructions to amend the same.

The House accordingly resolved itself into the Committee; and, after some time spent therein, Mr. Speaker resumed the Chair; and Mr. Mahony reported, That the Committee had amended the Bill as directed and had added thereto the provisions of Bill (No. 49), An Act to amend The Trustee Act.

The Bill was then read the third time and passed.

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The Order of the Day for the third reading of Bill (No. 121), An Act to amend The Co-operative Marketing and Loan Act,

*Ordered*, That the Order be discharged, and that the Bill be forthwith again referred to a Committee of the Whole, with instructions to amend the same.

The House accordingly resolved itself into the Committee; and, after some time spent therein, Mr. Speaker resumed the Chair; and Mr. Mahony reported, That the Committee had amended the Bill as directed.

The Bill was then read the third time and passed.

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The Order of the Day for the third reading of Bill (No. 50), The Tile Drainage Act, 1934,

*Ordered*, That the Order be discharged, and that the Bill be forthwith again referred to a Committee of the Whole, with instructions to amend the same.

The House accordingly resolved itself into the Committee; and, after some time spent therein, Mr. Speaker resumed the Chair; and Mr. Mahony reported, That the Committee had amended the Bill as directed.

The Bill was then read the third time and passed.

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The Order of the Day for the third reading of Bill (No. 143), An Act to amend The Deserted Wives' and Children's Maintenance Act,



*Ordered*, That the Order be discharged, and that the Bill be forthwith again referred to a Committee of the Whole, with instructions to amend the same.

The House accordingly resolved itself into the Committee; and, after some time spent therein, Mr. Speaker resumed the Chair; and Mr. Mahony reported, That the Committee had amended the Bill as directed.

The Bill was then read the third time and passed.

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The House resolved itself into a Committee to consider Bill (No. 126), An Act to amend The Ontario Municipal Board Act, and, after some time spent therein, Mr. Speaker resumed the Chair; and Mr. Mahony reported, That the Committee had directed him to report the Bill with certain amendments.

*Ordered*, That the amendments be taken into consideration forthwith.

The amendments, having been read the second time, were agreed to.

*Ordered*, That the Bill be read the third time To-morrow.

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The House resolved itself into a Committee to consider Bill (No. 152), An Act to amend The Liquor Control Act, and, after some time spent therein, Mr. Speaker resumed the Chair; and Mr. Mahony reported, That the Committee had directed him to report the Bill with certain amendments and to add its provisions to Bill (No. 140).

*Ordered*, That the amendments be taken into consideration forthwith.

The amendments, having been read the second time, were agreed to.

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The House resolved itself into a Committee to consider Bill (No. 140), An Act to amend The Liquor Control Act, and, after some time spent therein, Mr. Speaker resumed the Chair; and Mr. Mahony reported, That the Committee had directed him to report the Bill with certain amendments and that the provisions of Bill (No. 152), An Act to amend The Liquor Control Act, had been added thereto.

*Ordered*, That the amendments be taken into consideration forthwith.

The amendments, having been read the second time, were agreed to.

*Ordered*, That the Bill be read the third time To-morrow.

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The House resolved itself into a Committee to consider Bill (No. 154), An Act to amend The Ontario Fruit Act, 1933, and, after some time spent

therein, Mr. Speaker resumed the Chair; and Mr. Mahony reported, That the Committee had directed him to report the Bill without any amendment.

*Ordered*, That the Bill be read the third time To-morrow.

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On Motion of Mr. Henry, seconded by Mr. McCrea,

*Ordered*, That when this House adjourns the present Sitting, it do stand adjourned until Two of the Clock in the afternoon of Thursday, March 29th,

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The Provincial Secretary presented to the House, by command of The Honourable the Lieutenant-Governor:—

Report of the Department of Public Welfare, Province of Ontario, for year 1931-32. (*Sessional Papers No. 19.*)

Also, Report of the Department of Lands and Forests, Ontario, for year ending October 31st, 1933. (*Sessional Papers No. 3.*)

Also, Annual Report of the Department of Health, Ontario, 1933. (*Sessional Papers No. 14.*)

Also, Annual Report of Department of Highways, Ontario. (*Sessional Papers No. 56.*)

Also, Report of the Hydro-Electric Power Commission of Ontario for ending October 31st, 1933. (*Sessional Papers No. 26.*)

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The House then adjourned at 5.55 p.m.

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THURSDAY, MARCH 29TH, 1934

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PRAYERS.

2 O'CLOCK P.M.

Mr. Black from the Standing Committee on Public Accounts begs leave to submit the following as a Supplementary Report:—

Your Committee has had produced before it the following statement of the operations of the Liquor Control Board of Ontario from the inception of the Board's operations up to the end of the fiscal year, October 31st, 1933:—

STATEMENT SHOWING THE ANNUAL NET PROFITS OF THE LIQUOR CONTROL BOARD OF ONTARIO  
SINCE THE COMMENCEMENT OF OPERATIONS ON JUNE 1ST, 1927 AND ALSO THE ANNUAL  
PAYMENTS MADE TO THE PROVINCIAL TREASURER FOR SUCH PROFITS

	Net Profits	Profit Payments to Provincial Treasurer	Amount of Profits Not Paid	Amount Paid from Surplus
For the fiscal period which ended October 31st, 1927 (5 months) . . . .	\$2,804,760.25	\$2,800,000.00	\$4,760.25	.....
For the fiscal period which ended October 31st, 1928 . . . . .	7,828,088.32	7,225,000.00	603,088.32	.....
For the fiscal period which ended October 31st, 1929 . . . . .	9,661,448.60	7,505,000.00	2,156,448.60	.....
For the fiscal period which ended October 31st, 1930 . . . . .	9,315,967.30	7,495,000.00	1,820,967.30	.....
For the fiscal period which ended October 31st, 1931 . . . . .	8,491,653.43	10,000,000.00	.....	\$1,508,346.57
For the fiscal period which ended October 31st, 1932 . . . . .	6,632,420.48	9,260,000.00	.....	2,627,579.52
For the fiscal period which ended October 31st, 1933 . . . . .	5,423,621.54	5,450,000.00	.....	26,378.46
	\$50,157,959.92	\$49,735,000.00	\$4,585,264.47	\$4,162,304.55
		Total unpaid..	.....	422,959.92
				\$4,585,264.47

STATEMENT FOR 1932

Loan from bankers, less cash, and in transit and balances in other banks, \$835,876.23. On the 31st of October, the end of the fiscal year there was an overdraft of \$1,230,700.72, at the Bank of Commerce, due to a cheque of \$1,250,000.00 issued to the Provincial Treasurer. This overdraft was reduced to some \$835,876.23 by cash on hand in transit. Surplus, 31st October, 1932, \$449,338.38.

The following Bills were read the third time and were passed:—

Bill (No. 126), An Act to amend The Ontario Municipal Board Act.

Bill (No. 140), An Act to amend The Liquor Control Act.

Bill (No. 154), An Act to amend The Ontario Fruit Act, 1933.

The following Bill was read the second time:—

Bill (No. 27), An Act respecting the University of Regiopolis.

Referred to a Committee of the Whole House To-day.

The House resolved itself into a Committee, severally to consider the following Bills:—

Bill (No. 28), An Act respecting the City of St. Catharines.

Bill (No. 16), An Act respecting the Town of Walkerville.

Bill (No. 27), An Act respecting the University of Regiopolis.

Mr. Speaker resumed the Chair; and Mr. Mahony reported, That the Committee had directed him to report several Bills one with amendments and two without amendments.

The amendments, having been read the second time, were agreed to.

*Ordered*, That the Bills reported, be severally read the third time To-day.

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The House resolved itself into a Committee to consider Bill (No. 122), An Act to amend The Election Act, and, after some time spent therein, Mr. Speaker resumed the Chair; and Mr. Mahony reported, That the Committee had directed him to report the Bill with certain amendments.

*Ordered*, That the amendments be taken into consideration forthwith.

The amendments, having been read the second time, were agreed to.

*Ordered*, That the Bill be read the third time To-day.

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The House resolved itself into a Committee to consider Bill (No. 123), An Act to amend The Voters' Lists Act, and, after some time spent therein, Mr. Speaker resumed the Chair; and Mr. Mahony reported, That the Committee had directed him to report the Bill with certain amendments.

*Ordered*, That the amendments be taken into consideration forthwith.

The amendments, having been read the second time, were agreed to.

*Ordered*, That the Bill be read the third time To-day.

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The House resolved itself into a Committee to consider Bill (No. 151), An Act to amend The Provincial Parks Act, and, after some time spent therein, Mr. Speaker resumed the Chair; and Mr. Mahony reported, That the Committee had directed him to report the Bill without any amendment.

*Ordered*, That the Bill be read the third time To-day.

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The House resolved itself into a Committee to consider Bill (No. 155),



An Act to amend The Forest Fires Prevention Act, and, after some time spent therein, Mr. Speaker resumed the Chair; and Mr. Mahony reported, That the Committee had directed him to report the Bill without any amendment.

*Ordered*, That the Bill be read the third time To-day.

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The House resolved itself into a Committee to consider Bill (No. 156), The Ontario Marketing Act, 1934, and, after some time spent therein, Mr. Speaker resumed the Chair; and Mr. Mahony reported, That the Committee had directed him to report the Bill without any amendment.

*Ordered*, That the Bill be read the third time To-day.

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The House resolved itself into a Committee to consider Bill (No. 157), An Act to amend The Public Vehicle Act, and, after some time spent therein, Mr. Speaker resumed the Chair; and Mr. Mahony reported, That the Committee had directed him to report the Bill without any amendment.

*Ordered*, That the Bill be read the third time To-day.

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The House resolved itself into a Committee to consider Bill (No. 158), An Act respecting The Handling of Gasoline, and, after some time spent therein, Mr. Speaker resumed the Chair; and Mr. Mahony reported, That the Committee had directed him to report the Bill without any amendment.

*Ordered*, That the Bill be read the third time To-day.

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The House resolved itself into a Committee to consider Bill (No. 142), An Act to amend The Power Commission Act, and, after some time spent therein, Mr. Speaker resumed the Chair; and Mr. Mahony reported, That the Committee had directed him to report the Bill without any amendment.

*Ordered*, That the Bill be read the third time To-day.

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The House resolved itself into a Committee to consider Bill (No. 150), The Statute Law Amendment Act, 1934, and, after some time spent therein, Mr. Speaker resumed the Chair; and Mr. Mahony reported, That the Committee had directed him to report the Bill with certain amendments.

*Ordered*, That the amendments be taken into consideration forthwith.

The amendments, having been read the second time, were agreed to.

*Ordered*, That the Bill be read the third time To-day.

Mr. Mahony from the Committee of Supply reported the following Resolution:—

1. *Resolved*, That a sum not exceeding Seven thousand, two hundred dollars be granted to His Majesty to defray expenses of Lieutenant-Governor's Office for the year ending 31st October, 1935.

2. *Resolved*, That a sum not exceeding Two hundred and ninety-three thousand, six hundred dollars be granted to His Majesty to defray the expenses of Speaker's Office for the year ending 31st October, 1935.

3. *Resolved*, That a sum not exceeding Twelve thousand, five hundred and eighty dollars be granted to His Majesty to defray the expenses of Law Clerk's Office for the year ending 31st October, 1935.

4. *Resolved*, That a sum not exceeding Three thousand, six hundred dollars be granted to His Majesty to defray the expenses of Clerk of the Crown-in-Chancery's Office for the year ending 31st October, 1935.

5. *Resolved*, That a sum not exceeding Thirty-nine thousand, six hundred and twenty dollars be granted to His Majesty to defray the expenses of Main Office, Prime Minister's Department for the year ending 31st October, 1935.

6. *Resolved*, That a sum not exceeding Eleven thousand, five hundred and twenty-five dollars be granted to His Majesty to defray the expenses of Executive Council Office for the year ending 31st October, 1935.

7. *Resolved*, That a sum not exceeding Fifty thousand, seven hundred and twenty-five dollars be granted to His Majesty to defray the expenses of Tourist and Publicity Bureau for the year ending 31st October, 1935.

8. *Resolved*, That a sum not exceeding Fifteen thousand, six hundred and two dollars be granted to His Majesty to defray the expenses of Civil Service Commissioner's Office for the year ending 31st October, 1935.

9. *Resolved*, That a sum not exceeding Thirty-three thousand, seven hundred and twenty-five dollars be granted to His Majesty to defray the expenses of King's Printer Office for the year ending 31st October, 1935.

10. *Resolved*, That a sum not exceeding Two Million, five hundred and three thousand dollars be granted to His Majesty to defray the expenses of Hydro-Electric Power Commission of Ontario for the year ending 31st October, 1935.

11. *Resolved*, That a sum not exceeding Eighty-six thousand, eight hundred dollars be granted to His Majesty to defray the expenses of Main Office, Attorney-General's Department for the year ending 31st October, 1935.

12. *Resolved*, That a sum not exceeding Sixty-seven thousand, six hundred dollars be granted to His Majesty to defray the expenses of Supreme Court of Ontario for the year ending 31st October, 1935.

13. *Resolved*, That a sum not exceeding One thousand, six hundred dollars be granted to His Majesty to defray the expenses of Judges of Surrogate for the year ending 31st October, 1935.

14. *Resolved*, That a sum not exceeding Twenty-five thousand dollars be granted to His Majesty to defray the expenses of Deputy Clerks of the Crown and Local Registrars for the year ending 31st October, 1935.

15. *Resolved*, That a sum not exceeding Thirty thousand, four hundred dollars be granted to His Majesty to defray the expenses of Shorthand Reporters for the year ending 31st October, 1935.

16. *Resolved*, That a sum not exceeding Twenty thousand, nine hundred and twenty-five dollars be granted to His Majesty to defray the expenses of Office of Toronto and York Crown Attorney for the year ending 31st October, 1935.

17. *Resolved*, That a sum not exceeding Thirty-two thousand, six hundred dollars be granted to His Majesty to defray the expenses of Office of Land Titles for the year ending 31st October, 1935.

18. *Resolved*, That a sum not exceeding Thirty thousand, three hundred dollars be granted to His Majesty to defray the expenses of Office of Local Masters of Titles for the year ending 31st October, 1935.

19. *Resolved*, That a sum not exceeding Four thousand, five hundred dollars be granted to His Majesty to defray the expenses of Office of Drainage Trials for the year ending 31st October, 1935.

20. *Resolved*, That a sum not exceeding Eight hundred and fifty-eight thousand, nine hundred dollars be granted to His Majesty to defray the expenses of Audit of Criminal Justice Account's Branch for the year ending 31st October, 1935.

21. *Resolved*, That a sum not exceeding Fifty-seven thousand, seven hundred and twenty-five dollars be granted to His Majesty to defray the expenses of Office of Public Trustee for the year ending 31st October, 1935.

22. *Resolved*, That a sum not exceeding Seventy thousand, seven hundred and fifty dollars be granted to His Majesty to defray the expenses of Office of Fire Marshal for the year ending 31st October, 1935.

23. *Resolved*, That a sum not exceeding Twenty-eight thousand, three hundred dollars be granted to His Majesty to defray the expenses of Office of Inspector of Legal Offices for the year ending 31st October, 1935.

24. *Resolved*, That a sum not exceeding Nine hundred and twenty-one thousand, seven hundred and sixty-three dollars be granted to His Majesty to defray the expenses of Law Enforcement Branch (Provincial Police) for the year ending 31st October, 1935.

25. *Resolved*, That a sum not exceeding Thirty-nine thousand, four hundred and seventy-five dollars be granted to His Majesty to defray the expenses of Ontario Securities Commission for the year ending 31st October, 1935.

26. *Resolved*, That a sum not exceeding One hundred thousand dollars be granted to His Majesty to defray the expenses of Workmen's Compensation Board for the year ending 31st October, 1935.

27. *Resolved*, That a sum not exceeding Sixty-seven thousand, three hundred and forty-five dollars be granted to His Majesty to defray the expenses of Main Office, Insurance Department for the year ending 31st October, 1935.

28. *Resolved*, That a sum not exceeding Eighty thousand, two hundred and seventy-five dollars be granted to His Majesty to defray the expenses of Main Office, Education Department for the year ending 31st October, 1935.

29. *Resolved*, That a sum not exceeding Seventeen thousand, seven hundred and seventy-five dollars be granted to His Majesty to defray the expenses of Legislative Library for the year ending 31st October, 1935.

30. *Resolved*, That a sum not exceeding Three million, seven hundred and seventy-eight thousand, four hundred and eighty-five dollars be granted to His Majesty to defray the expenses of Public and Separate School Education for the year ending 31st October, 1935.

31. *Resolved*, That a sum not exceeding Five hundred and sixty-one thousand, two hundred dollars be granted to His Majesty to defray the expenses of Inspection of Schools for the year ending 31st October, 1935.

32. *Resolved*, That a sum not exceeding Two hundred and ninety-four thousand, six hundred and seventy-five dollars be granted to His Majesty to defray the expenses of Departmental Examinations for the year ending 31st October, 1935.

33. *Resolved*, That a sum not exceeding Fifty-nine thousand dollars be granted to His Majesty to defray the expenses of Text Books for the year ending 31st October, 1935.

34. *Resolved*, That a sum not exceeding One hundred and fourteen thousand, seven hundred dollars be granted to His Majesty to defray the expenses of Training Schools for the year ending 31st October, 1935.

35. *Resolved*, That a sum not exceeding One hundred and twenty-five thousand, seven hundred and twenty-five dollars be granted to His Majesty to defray the expenses of Toronto Normal and Model Schools for the year ending 31st October, 1935.

36. *Resolved*, That a sum not exceeding Eighty thousand, five hundred and sixty dollars be granted to His Majesty to defray the expenses of Ottawa Normal and Model Schools for the year ending 31st October, 1935.

37. *Resolved*, That a sum not exceeding Forty thousand, seven hundred and fifty dollars be granted to His Majesty to defray the expenses of London Normal School for the year ending 31st October, 1935.



38. *Resolved*, That a sum not exceeding Thirty-eight thousand, seven hundred and ninety dollars be granted to His Majesty to defray the expenses of Hamilton Normal School for the year ending 31st October, 1935.

39. *Resolved*, That a sum not exceeding Thirty-eight thousand, three hundred and sixty dollars be granted to His Majesty to defray the expenses of Peterborough Normal School for the year ending 31st October, 1935.

40. *Resolved*, That a sum not exceeding Forty-two thousand, three hundred dollars be granted to His Majesty to defray the expenses of Stratford Normal School for the year ending 31st October, 1935.

41. *Resolved*, That a sum not exceeding Thirty-eight thousand, nine hundred and fifteen dollars be granted to His Majesty to defray the expenses of North Bay Normal School for the year ending 31st October, 1935.

42. *Resolved*, That a sum not exceeding One hundred and thirteen thousand, four hundred and fifty dollars be granted to His Majesty to defray the expenses of University of Ottawa Normal School for the year ending 31st October, 1935.

43. *Resolved*, That a sum not exceeding Twenty-eight thousand, six hundred dollars be granted to His Majesty to defray the expenses of Sturgeon Falls Model School for the year ending 31st October, 1935.

44. *Resolved*, That a sum not exceeding Thirteen thousand six hundred and seventy-five dollars be granted to His Majesty to defray the expenses of Sandwich Model School for the year ending 31st October, 1935.

45. *Resolved*, That a sum not exceeding Twenty thousand and twenty-five dollars be granted to His Majesty to defray the expenses of Embrun Model School for the year ending 31st October, 1935.

46. *Resolved*, That a sum not exceeding Four hundred and twenty-two thousand, one hundred and fifty dollars be granted to His Majesty to defray the expenses of High Schools and Collegiate Institutes for the year ending 31st October, 1935.

47. *Resolved*, That a sum not exceeding Ninety-three thousand, nine hundred dollars be granted to His Majesty to defray the expenses of Public Libraries for the year ending 31st October, 1935.

48. *Resolved*, That a sum not exceeding One million, five hundred and eighteen thousand, one hundred and fifty dollars be granted to His Majesty to defray the expenses of Vocational Education for the year ending 31st October, 1935.

49. *Resolved*, That a sum not exceeding Twenty thousand, one hundred and fifty dollars be granted to His Majesty to defray the expenses of Ontario Training College for Technical Teachers for the year ending 31st October, 1935.

50. *Resolved*, That a sum not exceeding Twenty thousand, three hundred dollars be granted to His Majesty to defray the expenses of Superannuated Teachers for the year ending 31st October, 1935.

51. *Resolved*, That a sum not exceeding One million, eight hundred and eight thousand, one hundred dollars be granted to His Majesty to defray the expenses of Provincial and other Universities for the year ending 31st October, 1935.

52. *Resolved*, That a sum not exceeding One hundred and fifty-three thousand, six hundred and twenty-five dollars be granted to His Majesty to defray the expenses of Belleville School for the Deaf for the year ending 31st October, 1935.

53. *Resolved*, That a sum not exceeding Eighty-three thousand, eight hundred and twenty-four dollars be granted to His Majesty to defray the expenses of Brantford School for the Blind for the year ending 31st October, 1935.

54. *Resolved*, That a sum not exceeding Forty-three thousand, three hundred dollars be granted to His Majesty to defray the expenses of Monteith Northern Academy for the year ending 31st October, 1935.

55. *Resolved*, That a sum not exceeding Two hundred and forty-four thousand, eight hundred and fifty dollars be granted to His Majesty to defray the expenses of Main Office and Branches, Lands and Forests Department for the year ending 31st October, 1935.

56. *Resolved*, That a sum not exceeding Eighty-eight thousand dollars be granted to His Majesty to defray the expenses of Agents Branch, Lands and Forests Department for the year ending 31st October, 1935.

57. *Resolved*, That a sum not exceeding One hundred and thirty thousand dollars be granted to His Majesty to defray the expenses of Foresters and Scalers Branch, Lands and Forests Department for the year ending 31st October, 1935.

58. *Resolved*, That a sum not exceeding Sixty-five thousand and fifty dollars be granted to His Majesty to defray the expenses of Provincial Parks Branch, Lands and Forests Department for the year ending 31st October, 1935.

59. *Resolved*, That a sum not exceeding Eight hundred and ninety-six thousand, three hundred and twenty-five dollars be granted to His Majesty to defray the expenses of Forestry Branch, Lands and Forests Department for the year ending 31st October, 1935.

60. *Resolved*, That a sum not exceeding Eighty thousand, seven hundred and seventy-five dollars be granted to His Majesty to defray the expenses of Surveys Branch, Lands and Forests Department for the year ending 31st October, 1935.

61. *Resolved*, That a sum not exceeding Four hundred and seventy-one thousand and twenty-five dollars be granted to His Majesty to defray the expenses of Colonization Roads Branch, Northern Development Department for the year ending 31st October, 1935.

62. *Resolved*, That a sum not exceeding Two hundred and twelve thousand, eight hundred and seventy-five dollars be granted to His Majesty to defray the expenses of Main Office and Branches, Mines Department, for the year ending 31st October, 1935.

63. *Resolved*, That a sum not exceeding Eight thousand, five hundred dollars be granted to His Majesty to defray the expenses of Gas and Oil Well Inspectors, Mines Department for the year ending 31st October, 1935.

64. *Resolved*, That a sum not exceeding Five hundred dollars be granted to His Majesty to defray the expenses of Office of Fuel Controller, Mines Department for the year ending 31st October, 1935.

65. *Resolved*, That a sum not exceeding Five thousand dollars be granted to His Majesty to defray the expenses of Sulphur Fumes Arbitrator, Mines Department for the year ending 31st October, 1935.

66. *Resolved*, That a sum not exceeding Seventeen thousand dollars be granted to His Majesty to defray the expenses of Temiskaming Testing Laboratories, Mines Department for the year ending 31st October, 1935.

67. *Resolved*, That a sum not exceeding Forty-three thousand, five hundred dollars be granted to His Majesty to defray the expenses of Mining Recorder's Offices, Mines Department for the year ending 31st October, 1935.

68. *Resolved*, That a sum not exceeding Six thousand, five hundred dollars be granted to His Majesty to defray the expenses of Draughtsman's Office, North Bay, Mines Department for the year ending 31st October, 1935.

69. *Resolved*, That a sum not exceeding Ninety-six thousand, seven hundred and fifty dollars be granted to His Majesty to defray the expenses of Main Office, Game and Fisheries Department for the year ending 31st October, 1935.

70. *Resolved*, That a sum not exceeding Two hundred and forty-eight thousand, six hundred dollars be granted to His Majesty to defray the expenses of Districts, Game and Fisheries Department for the year ending 31st October, 1935.

71. *Resolved*, That a sum not exceeding Fifteen thousand dollars be granted to His Majesty to defray the expenses of Bird Farms, Game and Fisheries Department for the year ending 31st October, 1935.

72. *Resolved*, That a sum not exceeding Fifteen thousand dollars be granted to His Majesty to defray the expenses of Experimental Fur Farms, Game and Fisheries Department for the year ending 31st October, 1935.

73. *Resolved*, That a sum not exceeding Five thousand, three hundred dollars be granted to His Majesty to defray the expenses of MacDiarmid, Game and Fisheries Department for the year ending 31st October, 1935.



74. *Resolved*, That a sum not exceeding One hundred and forty-four thousand, four hundred and fifty dollars be granted to His Majesty to defray the expenses of Biological and Fish Culture Branch, Game and Fisheries Department for the year ending 31st October, 1935.

75. *Resolved*, That a sum not exceeding Sixty thousand dollars be granted to His Majesty to defray the expenses of Wolf Bounty, Games and Fisheries Department for the year ending 31st October, 1935.

76. *Resolved*, That a sum not exceeding Eighty-four thousand, nine hundred dollars be granted to His Majesty to defray the expenses of Main Office, Public Works Department for the year ending 31st October, 1935.

77. *Resolved*, That a sum not exceeding Thirty-four thousand, nine hundred and twenty-five dollars be granted to His Majesty to defray the expenses of General Superintendence, Public Works Department for the year ending 31st October, 1935.

78. *Resolved*, That a sum not exceeding Twenty-nine thousand, nine hundred dollars be granted to His Majesty to defray the expenses of Government House, Public Works Department for the year ending 31st October, 1935.

79. *Resolved*, That a sum not exceeding Three hundred and eighty-seven thousand, eight hundred and forty-nine dollars be granted to His Majesty to defray the expenses of Parliament and Departmental Buildings, Public Works Department for the year ending 31st October, 1935.

80. *Resolved*, That a sum not exceeding Thirty-eight thousand, one hundred and seventy-five dollars be granted to His Majesty to defray the expenses of Osgoode Hall, Public Works Department for the year ending 31st October, 1935.

81. *Resolved*, That a sum not exceeding Eleven thousand, two hundred and fifty dollars be granted to His Majesty to defray the expenses of Educational Buildings, Public Works Department for the year ending 31st October, 1935.

82. *Resolved*, That a sum not exceeding Six thousand, six hundred and fifty dollars be granted to His Majesty to defray the expenses of Agricultural Buildings, Public Works Department for the year ending 31st October, 1935.

83. *Resolved*, That a sum not exceeding Nine hundred and fifty dollars be granted to His Majesty to defray the expenses of Welfare Buildings, Public Works Department for the year ending 31st October, 1935.

84. *Resolved*, That a sum not exceeding Eleven thousand, three hundred and twenty dollars be granted to His Majesty to defray the expenses of District Buildings, Public Works Department for the year ending 31st October, 1935.

85. *Resolved*, That a sum not exceeding Four thousand dollars be granted to His Majesty to defray the expenses of General Buildings, Public Works Department for the year ending 31st October, 1935.



86. *Resolved*, That a sum not exceeding Seventy thousand and fifty dollars be granted to His Majesty to defray the expenses of Public Works and Bridges—Maintenance and construction, Public Works Department for the year ending 31st October, 1935.

87. *Resolved*, That a sum not exceeding One hundred and ninety thousand, five hundred dollars be granted to His Majesty to defray the expenses of Public Buildings—Construction, Public Works Department for the year ending 31st October, 1935.

88. *Resolved*, That a sum not exceeding Three hundred and seventy-six thousand, seven hundred and seventy-five dollars be granted to His Majesty to defray the expenses of Main Office, Highways Department for the year ending 31st October, 1935.

89. *Resolved*, That a sum not exceeding Two hundred and fifty-nine thousand, four hundred and five dollars be granted to His Majesty to defray the expenses of Motor Vehicles Branch, Highways Department for the year ending 31st October, 1935.

90. *Resolved*, That a sum not exceeding One hundred and twenty-eight thousand, one hundred and seventy-five dollars be granted to His Majesty to defray the expenses of Main Office, Health Department for the year ending 31st October, 1935.

91. *Resolved*, That a sum not exceeding Thirty-six thousand, six hundred dollars be granted to His Majesty to defray the expenses of District Officers of Health Branch, Health Department for the year ending 31st October, 1935.

92. *Resolved*, That a sum not exceeding Eighty-three thousand, four hundred and twenty-five dollars be granted to His Majesty to defray the expenses of Maternal and Child Hygiene and Public Health Nursing Branch, Health Department for the year ending 31st October, 1935.

93. *Resolved*, That a sum not exceeding Twenty-four thousand, one hundred dollars be granted to His Majesty to defray the expenses of Dental Service Branch, Health Department for the year ending 31st October, 1935.

94. *Resolved*, That a sum not exceeding Twelve thousand, three hundred and seventy-five dollars be granted to His Majesty to defray the expenses of Inspection of Training Schools for Nurses Branch, Health Department for the year ending 31st October, 1935.

95. *Resolved*, That a sum not exceeding Three hundred and twelve thousand, six hundred dollars be granted to His Majesty to defray the expenses of Preventable Diseases Branch, Health Department for the year ending 31st October, 1935.

96. *Resolved*, That a sum not exceeding Fifty-two thousand dollars be granted to His Majesty to defray the expenses of Industrial Hygiene Branch, Health Department for the year ending 31st October, 1935.

97. *Resolved*, That a sum not exceeding Forty-four thousand, three hundred dollars be granted to His Majesty to defray the expenses of Sanitary Engineering Branch, Health Department for the year ending 31st October, 1935.

98. *Resolved*, That a sum not exceeding One hundred and six thousand, two hundred and fifty dollars be granted to His Majesty to defray the expenses of Laboratory Branch, Health Department for the year ending 31st October, 1935.

99. *Resolved*, That a sum not exceeding Fifty-one thousand dollars be granted to His Majesty to defray the expenses of Laboratory Divisions Branch, Health Department for the year ending 31st October, 1935.

100. *Resolved*, That a sum not exceeding Twenty-eight thousand, six hundred and twenty-five dollars be granted to His Majesty to defray the expenses of Public Health Education Branch, Health Department for the year ending 31st October, 1935.

101. *Resolved*, That a sum not exceeding Two million and fifty-seven thousand, one hundred dollars be granted to His Majesty to defray the expenses of Main Office, Grants, etc., General Hospitals and Charities, General Expenses—Ontario Hospitals for the year ending 31st October, 1935.

102. *Resolved*, That a sum not exceeding Three hundred and eighty-three thousand, seven hundred and fifty-one dollars be granted to His Majesty to defray the expenses of Brockville Hospital for the year ending 31st October, 1935.

103. *Resolved*, That a sum not exceeding One hundred and forty-three thousand, seven hundred and eight dollars be granted to His Majesty to defray the expenses of Cobourg Hospital for the year ending 31st October, 1935.

104. *Resolved*, That a sum not exceeding Four hundred and sixty thousand, two hundred and eighty-five dollars be granted to His Majesty to defray the expenses of Hamilton Hospital for the year ending 31st October, 1935.

105. *Resolved*, That a sum not exceeding Three hundred and ninety-nine thousand, seven hundred and seventy-eight dollars be granted to His Majesty to defray the expenses of Kingston Hospital for the year ending 31st October, 1935.

106. *Resolved*, That a sum not exceeding Four hundred and ninety-six thousand, six hundred and twenty dollars be granted to His Majesty to defray the expenses of London Hospital for the year ending 31st October, 1935.

107. *Resolved*, That a sum not exceeding Three hundred and ninety-seven thousand, two hundred dollars be granted to His Majesty to defray the expenses of Mimico Hospital for the year ending 31st October, 1935.

108. *Resolved*, That a sum not exceeding Five hundred and forty-three thousand, one hundred and ninety-two dollars be granted to His Majesty to defray the expenses of Orillia Hospital for the year ending 31st October, 1935.

109. *Resolved*, That a sum not exceeding Two hundred and nineteen thousand, three hundred and fifty-one dollars be granted to His Majesty to defray the expenses of Penetanguishene Hospital for the year ending 31st October, 1935.

110. *Resolved*, That a sum not exceeding Three hundred and forty-four thousand, two hundred and thirty-two dollars be granted to His Majesty to defray the expenses of Toronto Hospital for the year ending 31st October, 1935.

111. *Resolved*, That a sum not exceeding Five hundred and sixty-four thousand, three hundred and ninety-six dollars be granted to His Majesty to defray the expenses of Whitby Hospital for the year ending 31st October, 1935.

112. *Resolved*, That a sum not exceeding Two hundred and six thousand, eight hundred and seventy-one dollars be granted to His Majesty to defray the expenses of Woodstock Hospital for the year ending 31st October, 1935.

113. *Resolved*, That a sum not exceeding One hundred and twenty-two thousand, eight hundred and twelve dollars be granted to His Majesty to defray the expenses of Toronto Psychiatric Hospital for the year ending 31st October, 1935.

114. *Resolved*, That a sum not exceeding Thirty-eight thousand and ninety-six dollars and fifty cents be granted to His Majesty to defray the expenses of Main Office, Labour Department for the year ending 31st October, 1935.

115. *Resolved*, That a sum not exceeding Twenty-one thousand, six hundred and twenty-five dollars be granted to His Majesty to defray the expenses of Apprentice Board, Labour Department for the year ending 31st October, 1935.

116. *Resolved*, That a sum not exceeding Nineteen thousand, seven hundred and fifty dollars be granted to His Majesty to defray the expenses of Boiler Inspection, Labour Department for the year ending 31st October, 1935.

117. *Resolved*, That a sum not exceeding Sixty-four thousand, eight hundred and seventy-five dollars be granted to His Majesty to defray the expenses of Factory Inspection, Labour Department for the year ending 31st October, 1935.

118. *Resolved*, That a sum not exceeding Twenty-five thousand, two hundred and seventy-five dollars be granted to His Majesty to defray the expenses of Board of Examiners of Operating Engineers, Labour Department for the year ending 31st October, 1935.

119. *Resolved*, That a sum not exceeding Two hundred and twelve thousand dollars be granted to His Majesty to defray the expenses of Employment Offices, Labour Department for the year ending 31st October, 1935.

120. *Resolved*, That a sum not exceeding Twenty-four thousand, four hundred dollars be granted to His Majesty to defray the expenses of Minimum Wage Board, Labour Department for the year ending 31st October, 1935.



121. *Resolved*, That a sum not exceeding Three hundred and thirty-one thousand, five hundred and twenty-five dollars be granted to His Majesty to defray the expenses of Main Office, Grants—Refuges, Orphanages and Charities, Public Welfare Department for the year ending 31st October, 1935.

122. *Resolved*, That a sum not exceeding One hundred and eighteen thousand, one hundred and sixty-eight dollars be granted to His Majesty to defray the expenses of Children's Aid Branch, Public Welfare Department for the year ending 31st October, 1935.

123. *Resolved*, That a sum not exceeding Ninety-five thousand, one hundred and nine dollars be granted to His Majesty to defray the expenses of Ontario Training School for Boys (Bowmanville), Public Welfare Department for the year ending 31st October, 1935.

124. *Resolved*, That a sum not exceeding Thirty-one thousand, six hundred and thirty-four dollars be granted to His Majesty to defray the expenses of Ontario Training School for Girls (Galt), Public Welfare Department for the year ending 31st October, 1935.

125. *Resolved*, That a sum not exceeding One million, eight hundred and twenty-seven thousand, nine hundred dollars be granted to His Majesty to defray the expenses of Mothers' Allowances Commission, Public Welfare Department for the year ending 31st October, 1935.

126. *Resolved*, That a sum not exceeding Two million, eight hundred and twenty-two thousand, nine hundred and twenty-five dollars be granted to His Majesty to defray the expenses of Old Age Pensions Commission for the year ending 31st October, 1935.

127. *Resolved*, That a sum not exceeding One hundred and thirty-five thousand, five hundred and eighty dollars be granted to His Majesty to defray the expenses of Main Office, Provincial Treasurer's Department for the year ending 31st October, 1935.

128. *Resolved*, That a sum not exceeding Two hundred and ten thousand, and seventy-five dollars be granted to His Majesty to defray the expenses of Office of the Controller of Revenue, Provincial Treasurer's Office for the year ending 31st October, 1935.

129. *Resolved*, That a sum not exceeding Twenty-three thousand, eight hundred and fifteen dollars be granted to His Majesty to defray the expenses of Board of Censors, Provincial Treasurer's Department for the year ending 31st October, 1935.

130. *Resolved*, That a sum not exceeding Seventy-five thousand dollars be granted to His Majesty to defray the expenses of Motion Picture Bureau, Provincial Treasurer's Department for the year ending 31st October, 1935.

131. *Resolved*, That a sum not exceeding Eighteen thousand, one hundred and twenty-five dollars be granted to His Majesty to defray the expenses of



Public Records and Archives, Provincial Treasurer's Department for the year ending 31st October, 1935.

132. *Resolved*, That a sum not exceeding One hundred and twenty thousand, five hundred and twenty-five dollars be granted to His Majesty to defray the expenses of House Post Office, Provincial Treasurer's Department for the year ending 31st October, 1935.

133. *Resolved*, That a sum not exceeding One hundred and four thousand, nine hundred and fifty dollars be granted to His Majesty to defray the expenses of Provincial Auditor's Office for the year ending 31st October, 1935.

134. *Resolved*, That a sum not exceeding Sixty-one thousand, one hundred and thirty dollars be granted to His Majesty to defray the expenses of Main Office, Provincial Secretary's Department for the year ending 31st October, 1935.

135. *Resolved*, That a sum not exceeding Fifty-five thousand, six hundred dollars be granted to His Majesty to defray the expenses of Registrar General's Branch, Provincial Secretary's Department for the year ending 31st October, 1935.

136. *Resolved*, That a sum not exceeding Seventy-eight thousand, eight hundred and twenty-five dollars be granted to His Majesty to defray the expenses of Main Office, Reformatories and Prisons Branch for the year ending 31st October, 1935.

137. *Resolved*, That a sum not exceeding Twenty-two thousand, five hundred dollars be granted to His Majesty to defray the expenses of Board of Parole for the year ending 31st October, 1935.

138. *Resolved*, That a sum not exceeding Seven hundred and eighty-eight thousand dollars be granted to His Majesty to defray the expenses of Ontario Reformatory, Guelph for the year ending 31st October, 1935.

139. *Resolved*, That a sum not exceeding One hundred and sixty-three thousand and twenty-five dollars be granted to His Majesty to defray the expenses of Ontario Reformatory, Mimico for the year ending 31st October, 1935.

140. *Resolved*, That a sum not exceeding Two hundred and thirty thousand, five hundred dollars be granted to His Majesty to defray the expenses of Mercer Reformatory, Toronto for the year ending 31st October, 1935.

141. *Resolved*, That a sum not exceeding Three hundred and sixteen thousand dollars be granted to His Majesty to defray the expenses of Industrial Farm, Burwash for the year ending 31st October, 1935.

142. *Resolved*, That a sum not exceeding Forty-six thousand, eight hundred dollars be granted to His Majesty to defray the expenses of Industrial Farm, Fort William for the year ending 31st October, 1935.

143. *Resolved*, That a sum not exceeding Two hundred and sixty-three thousand, two hundred and fifteen dollars be granted to His Majesty to defray the expenses of Main Office, Agriculture Department for the year ending 31st October, 1935.

144. *Resolved*, That a sum not exceeding Thirteen thousand, eight hundred dollars be granted to His Majesty to defray the expenses of Statistics and Publications Branch, Agriculture Department for the year ending 31st October, 1935.

145. *Resolved*, That a sum not exceeding One hundred and thirty thousand, eight hundred and fifty dollars be granted to His Majesty to defray the expenses of Agricultural and Horticultural Societies' Branch for the year ending 31st October, 1935.

146. *Resolved*, That a sum not exceeding Ninety-six thousand, eight hundred and twenty-five dollars be granted to His Majesty to defray the expenses of Live Stock Branch for the year ending 31st October, 1935

147. *Resolved*, That a sum not exceeding Sixty-eight thousand nine hundred and seventy-five dollars be granted to His Majesty to defray the expenses of Institutes Branch for the year ending 31st October, 1935.

148. *Resolved*, That a sum not exceeding One hundred and sixty-seven thousand, and seventy-five dollars be granted to His Majesty to defray the expenses of Dairy Branch for the year ending 31st October, 1935.

149. *Resolved*. That a sum not exceeding Eighty-eight thousand and fifty dollars be granted to His Majesty to defray the expenses of Fruit Branch for the year ending 31st October, 1935.

150. *Resolved*. That a sum not exceeding Three hundred and fifteen thousand, six hundred dollars be granted to His Majesty to defray the expenses of Agricultural Representatives Branch for the year ending 31st October, 1935.

151. *Resolved*. That a sum not exceeding Forty-four thousand, one hundred dollars be granted to His Majesty to defray the expenses of Crops, Co-operation and Markets Branch for the year ending 31st October, 1935.

152. *Resolved*. That a sum not exceeding Six thousand dollars be granted to His Majesty to defray the expenses of Colonization and Immigration Branch for the year ending 31st October, 1935.

153. *Resolved*. That a sum not exceeding Sixty-three thousand dollars be granted to His Majesty to defray the expenses of Kemptville Agricultural School for the year ending 31st October, 1935.

154. *Resolved*. That a sum not exceeding Forty-seven thousand five hundred and seven dollars and fifty cents be granted to His Majesty to defray the expenses of Ontario Veterinary College, Guelph for the year ending 31st October, 1935.

155. *Resolved*. That a sum not exceeding Eighteen thousand and fifty

dollars be granted to His Majesty to defray the expenses of Western Ontario Experimental Farm, Ridgetown for the year ending 31st October, 1935.

156. *Resolved*, That a sum not exceeding Seven hundred and fifty-three thousand, seven hundred and fourteen dollars and fifty cents be granted to His Majesty to defray the expenses of Ontario Agricultural College, Guelph for the year ending 31st October, 1935.

157. *Resolved*, That a sum not exceeding Two hundred thousand dollars be granted to His Majesty to defray the expenses of Miscellaneous for the year ending 31st October, 1935.

The several Resolutions, having been read a second time, were concurred in.

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The House according to Order resolved itself into the Committee of Ways and Means.

*(In the Committee)*

*Resolved*, That there be granted out of the Consolidated Revenue Fund of this Province a sum not exceeding Thirty-seven Million, Six Thousand, Eight Hundred and Eight Dollars and Fifty Cents (\$37,006,808.50) to meet the Supply to that extent granted to His Majesty.

Mr. Speaker resumed the Chair; and Mr. Black reported, That the Committee had come to a Resolution.

*Ordered*, That the Report be received forthwith.

Mr. Black, from the Committee on Ways and Means, reported a Resolution, which was read as follows:—

*Resolved*, That there be granted out of the Consolidated Revenue Fund of this Province, a sum not exceeding Thirty-seven Million, Six Thousand, Eight Hundred and Eight Dollars and Fifty Cents (\$37,006,808.50) to meet the Supply to that extent granted to His Majesty.

The Resolution, having been read the second time, was agreed to.

The following Bill was then introduced and read the first time:—

Bill (No. 159), intituled "An Act for granting to His Majesty certain sums of Money for the Public Service of the Financial Year ending the 31st day of October, 1935." *Mr. Henry*.

*Ordered*, That the Bill be read the second time forthwith.

The Bill was then read a second time.

*Ordered*, That the Bill be read a third time forthwith.

The Bill was then read the third time and passed.

The Order of the Day for the third reading of Bill (No. 123), An Act to amend The Voters' List Act, having been read,

Mr. Price (Parkdale) moved that the Bill be read a third time.

Mr. Nixon moved in amendment, seconded by Mr. Slack,

That Bill (No. 123), An Act to amend The Voters' List Act, be not now read the third time but be referred back to the Committee of the whole House with instructions to strike out Clause 68 (b) of Section 2 and insert in lieu thereof the following: "The returning officer shall forthwith after receipt of the writ of election appoint in writing for each polling subdivision in the electoral district, Form 22, a sufficient number of persons to be enumerators of the voters. These enumerators shall be appointed in equal numbers from names submitted by each Government and Official Opposition candidate or their representatives and shall attend in pairs to compile a list of voters as hereinafter provided and shall require each of such persons before acting to take the oath, Form 23."

The Amendment having been put was lost on the following Division:—

## YEAS

Baxter	Mackay	Oliver
Blakelock	Medd	Ross
Bragg	Murray	Sangster
Campbell	McQuibban	Sinclair
Hipel	Newman	Slack
Hutchinson	Nixon	Tweed—18.

## NAYS

Acres	Honeywell	Price
Aubin	Ireland	(Parkdale)
Baird	Jamieson	Raven
Bell	Jutten	Reid
Berry	Kennedy	Richardson
Black	(Temiskaming)	Robb
Blanchard	Kennedy	St. Denis
Case	(Peel)	Sanderson
Challies	Lancaster	Scholfield
Clark	Laughton	Seguin
Colliver	Lyons	Shaver
Cooke	Macauley	Shields
Craig	Mahony	Singer
Davis	Martin	Smith
Ecclestone	(Brantford)	(Greenwood)
Elliott	Morrison	Spence
Finlayson	Murphy	Staples
Freele	(Beaches)	Stedman
Graham	McBrien	Vaughan
Hambly	McCrea	Waters
Harrison	McLean	Willson
Heighington	McMillen	(Niagara Falls)
Henry	McNaughton	Wilson
Hill	Nesbitt	(Windsor, East)
Hogarth	Poisson	Wilson—67.
		(Lincoln)



The Motion for third reading was then put and carried on the following Division:—

## YEAS

Acres	Honeywell	Price
Aubin	Ireland	(Parkdale)
Baird	Jamieson	Raven
Bell	Jutten	Reid
Berry	Kennedy	Richardson
Black	(Temiskaming)	Robb
Blanchard	Kennedy	St. Denis
Case	(Peel)	Sanderson
Challies	Lancaster	Scholfield
Clark	Laughton	Seguin
Colliver	Lyons	Shaver
Cooke	Macaulay	Shields
Craig	Mahony	Singer
Davis	Martin	Smith
Ecclestone	(Brantford)	(Greenwood)
Elliott	Morrison	Spence
Finlayson	Murphy	Staples
Freele	(Beaches)	Stedman
Graham	McBrien	Vaughan
Hambly	McCrea	Waters
Harrison	McLean	Willson
Heighington	McMillen	(Niagara Falls)
Henry	McNaughton	Wilson
Hill	Nesbitt	(Windsor, East)
Hogarth	Poisson	Wilson—67.
		(Lincoln)

## NAYS

Baxter	Mackay	Oliver
Blakelock	Medd	Ross
Bragg	Murray	Sangster
Campbell	McQuibban	Sinclair
Hipel	Newman	Slack
Hutchinson	Nixon	Tweed—18.

And the Bill was read a third time and passed.

The following Bills were read the third time and were passed:—

Bill (No. 28), An Act respecting the City of St. Catharines.

Bill (No. 16), An Act respecting the Town of Walkerville.

Bill (No. 27), An Act respecting the University of Regiopolis.

Bill (No. 122), An Act to amend The Election Act.

Bill (No. 150), The Statute Law Amendment Act, 1934.

Bill (No. 151), An Act to amend The Provincial Parks Act.

Bill (No. 155), An Act to amend The Forest Fires Prevention Act.

Bill (No. 156), The Ontario Marketing Act, 1934.

Bill (No. 157), An Act to amend The Public Vehicle Act.

Bill (No. 158), An Act respecting The Handling of Gasoline.

Bill (No. 142), An Act to amend The Power Commission Act.

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On Motion of Mr. Price (Parkdale), seconded by Mr. Henry,

*Resolved*, That this Legislature desires to extend its congratulations to Mr. Matthew Currey, Secretary to the Honourable the Attorney-General, on the completion of sixty years in the service of the Government of this Province, all of which time has been spent in one Department and thirty-four years as Private Secretary to the head of the Department. We desire to extend to him our best wishes on his retirement from the public service after over half a century of faithful attention to his duties, to wish him continued health and happiness for many years to come and on behalf of the people of this Province tender him the honorarium voted by this House.

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On Motion of Mr. Price (Parkdale), seconded by Mr. Henry,

*Ordered*, That this House do forthwith resolve itself into a Committee to consider a certain proposed Resolution respecting payment to Matthew Currey of the sum of One Thousand Dollars (\$1,000) as an honorarium on his retirement from Civil Service after sixty years of faithful service in the Department of the Attorney-General.

Mr. Henry acquainted the House that His Honour the Lieutenant-Governor, having been informed of the subject matter of the proposed Resolution, recommends it to the consideration of the House.

The House then resolved itself into the Committee.

*(In the Committee)*

*Resolved*, That in addition to the sums voted in the Estimates for the fiscal year 1934-35, there be paid out of the Consolidated Revenue Fund to Matthew Currey, the sum of One Thousand Dollars, as an honorarium on his retirement from the Civil Service after sixty years of faithful service in the Department of the Attorney-General.

Mr. Speaker resumed the Chair; and Mr. Mahony reported, That the Committee had come to a certain Resolution.

*Ordered*, That the Report be now received.

*Resolved*, That in addition to the sums voted in the Estimates for the fiscal year 1934-35, there be paid out of the Consolidated Revenue Fund to Matthew Currey, the sum of One Thousand Dollars, as an honorarium on his retirement from the Civil Service after sixty years of faithful service in the Department of the Attorney-General.

The Resolution, having been read the second time, was agreed to.

On Motion of Mr. Price (Parkdale), seconded by Mr. Henry,

*Ordered*, That the Treasurer of Ontario is authorized to pay out of the Consolidated Revenue Fund to Matthew Currey, Secretary to the Attorney-General of Ontario, the sum of One Thousand Dollars (\$1,000), the said sum being an honorarium granted in acknowledgment of sixty years' faithful service in the Attorney-General's Department.

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On Motion of Mr. Nixon, seconded by Mr. Ross,

*Resolved*, That in the opinion of this House, Chief Commissioner Stewart McClenaghan and Commissioner J. M. McNamara, of the Ontario Liquor Board, should forthwith be dismissed from office for holding in contempt the authority of this House and in refusing to comply with the Orders of this Assembly passed unanimously on Thursday, April 13th, 1933, Votes and Proceedings, page 355, viz.: "On Motion of Mr. Medd, seconded by Mr. Ross, *Ordered*, That there be laid before this House a Return showing: 4. (a) What were the gross sales in the following liquor stores during the last year, Woodstock, Brantford, Paris. (b) What was the total cost of local administration in each instance," unless the Board immediately abandons its present attitude and complies with the Orders of this Assembly.

The Motion of Mr. Nixon was with the consent of the House withdrawn.

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On Motion of Mr. Medd, seconded by Mr. Slack,

*Resolved*, That in the opinion of this House the provision now made by the Department of Education for the teaching of temperance education in the schools of Ontario is entirely inadequate and this House urges that a vigorous and adequate programme of temperance instruction in our schools should be undertaken by the Government.

The Motion of Mr. Medd was with the consent of the House withdrawn.

Mr. Hutchinson asked the following Question (No. 57):—

1. Did the Department of Northern Development enter into a contract with Crawley and McCracken Limited about the year 1931 for the feeding and housing of men doing Government work. 2. (a) Was this work advertised for tender. (b) If so, who tendered. Giving names, and addresses. 3. (a) Who are the principal officers of Crawley and McCracken Limited. (b) Where is their head office. 4. (a) What were they to supply, and what amount per day were they to receive. (b) What was the Government to supply. 5. What have Crawley and McCracken Limited received to date. 6. Did the Government guarantee a minimum number of men at any time, and what was this number. 7. What is the duration of the contract. 8. On what date was the contract altered to lower the rate per diem. 9. What date in 1933 was the amount per diem increased.

The Honourable the Minister of Lands and Forests replied as follows:—

1. Yes. 2. (a) Enquiries were made as to what firms could undertake this contract and it was found that Crawley & McCracken had been handling similar contracts for the C.P.R., C.N.R., and T. & N.O. Railways and for large contractors and were considered to be the only firm capable of catering successfully to the needs of thousands of men in remote situations with success and speed. (b) Answered by (a). 3. (a) F. C. McCracken, President; Walter F. Harris, Vice-President; Robt. Hood, Secretary-Treasurer; J. E. Cahoon, General Superintendent. (b) Montreal, P.Q. 4. (a) The Supply Company will furnish at all times the necessary food, supplies, kitchen, dining-room, and bunkhouse equipment, including kitchen ranges, utensils, table dishes, double deck spring beds, mattresses, blankets, pillows, heating stoves and any other equipment necessary for the successful operation of the camps. The Supply Company will make a charge of Eighty cents per man per day for board and lodging, all supplies and attendants, and will supply meals to all or any men when requested to do so by the Department or their representative. (b) The Department will supply all buildings, roothouses, etc., required, equipped with tables, benches and kitchen sinks, together with fuel and water for cooking, heating, washing and drinking purposes, and will transport the Supply Company's supplies and equipment from the nearest railway station to the camps. 5. To October 31st, 1933, \$2,660,025.69. 6. No. 7. To March 31st, 1932, with extensions and privilege of cancellation. 8. Contract rate was lowered to Sixty cents in 1932 and again lowered to Fifty cents in 1932, and raised to Sixty cents in 1933.

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On Motion of Mr. Henry, seconded by Mr. Price (Parkdale),

*Ordered*, That the full Sessional Indemnity be paid to those Members absent on account of illness or other unavoidable causes.

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On Motion of Mr. Henry, seconded by Mr. Price (Parkdale),

*Ordered*, That when this House adjourns the present Sitting it do stand adjourned until Tuesday next, the 3rd day of April, at Three of the Clock in the afternoon.



Mr. Cooke laid on the Table of the House a statement giving his reasons for failing to answer questions respecting the salaries paid to the employees of the Hydro-Electric Power Commission of Ontario.

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The Provincial Secretary presented to the House, by command of The Honourable the Lieutenant-Governor:—

Return to an Order of the House dated 21st March, 1934, That there be laid before the House a Return showing copies of all correspondence and communications received or forwarded by any person, or organization to the Minister of Lands and Forests or to any other Minister of the Ontario Government relating to the Resolution passed by this House April 14th, 1924, as to wages in contracts for the sale of timber or pulpwood or for the development of water powers. (*Sessional Papers No. 57.*)

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The House then adjourned at 5.55 p.m.

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TUESDAY, APRIL 3RD, 1934

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PRAYERS.

3 O'CLOCK P.M.

The Honourable the Lieutenant-Governor proceeded in State to the Legislative Assembly and being seated upon the Throne,

Mr. Speaker addressed His Honour in the following words:—

*May it please Your Honour:*

The Legislative Assembly of the Province has at its present Sittings thereof passed several Bills to which, in the name and on behalf of the said Legislative Assembly, I respectfully request Your Honour's Assent.

The Clerk Assistant then read the titles of the Acts that had passed severally as follows:—

Bill (No. 1), An Act respecting the Mount McKay and Kakabeka Falls Railway Company.

Bill (No. 3), An Act respecting the City of Oshawa.

Bill (No. 4), An Act respecting the Industrial Mortgage and Trust Company and the East Lambton Farmers' Loan and Savings Company.

Bill (No. 5), An Act respecting the City of Brantford.

Bill (No. 6), An Act respecting the Township of Etobicoke.

Bill (No. 7), An Act respecting the Town of Prescott.

Bill (No. 8), An Act respecting the Town of Ojibway.

Bill (No. 9), An Act respecting the Town of Weston.

Bill (No. 10), An Act respecting the City of Welland.

Bill (No. 11), An Act respecting the City of Toronto.

Bill (No. 12), An Act respecting Hamilton By-Product Coke Ovens, Limited.

Bill (No. 13), An Act respecting the Township of Teck.

Bill (No. 14), An Act respecting the City of Hamilton.

Bill (No. 16), An Act respecting the Town of Walkerville.

Bill (No. 17), An Act respecting the City of St. Thomas.

Bill (No. 18), An Act to incorporate the Kenora Young Men's Christian Association.

Bill (No. 19), An Act to incorporate the Village of Port Sydney.

Bill (No. 20), An Act respecting the Village of Woodbridge.

Bill (No. 21), An Act respecting the Township of North York.

Bill (No. 22), An Act respecting the Town of Collingwood.

Bill (No. 23), An Act respecting the Township of York.

Bill (No. 24), An Act respecting the Bankers Trust Company.

Bill (No. 25), An Act respecting the Village of St. Clair Beach.

Bill (No. 26), An Act respecting the Village of Forest Hill.

Bill (No. 27), An Act respecting the University of Regiopolis.

Bill (No. 28), An Act respecting the City of St. Catharines.

Bill (No. 29), An Act respecting the City of London.

Bill (No. 30), An Act respecting the City of Kingston.

Bill (No. 31), An Act respecting the Town of Harriston.

Bill (No. 32), An Act respecting the Township of McIrvine.

Bill (No. 33), An Act respecting the Brantford Young Men's Christian Association.

Bill (No. 34), An Act respecting the City of Port Arthur.

Bill (No. 35), An Act respecting the Town of Orillia.

Bill (No. 36), An Act respecting the Town of Southampton.

Bill (No. 38), An Act respecting the City of Chatham.

Bill (No. 39), An Act respecting the City of Ottawa.

Bill (No. 40), An Act respecting the Township of Cornwall.

Bill (No. 41), An Act respecting the Township of Cornwall, and the Town of Cornwall.

Bill (No. 42), The School Law Amendment Act, 1934.

Bill (No. 43), The Public Commercial Vehicle Act, 1934.

Bill (No. 44), An Act to amend The Trustee Act.

Bill (No. 45), An Act to amend The Pawnbrokers Act.

Bill (No. 46), An Act to amend The Conveyancing and Law of Property Act.

Bill (No. 47), An Act respecting The Battle of Ridgeway Memorial Park.

Bill (No. 48), An Act to amend The Public Authorities Protection Act.

Bill (No. 50), An Act to amend The Tile Drainage Act, 1929.

Bill (No. 51), An Act to amend The Summary Convictions Act.

Bill (No. 52), An Act to amend The Registry Act.

Bill (No. 55), The Insurance (Temporary Provisions) Act, 1934.

Bill (No. 56), An Act to amend The Juvenile Courts Act.

Bill (No. 57), An Act respecting the Ontario Institute of Radio Therapy.

Bill (No. 58), An Act to amend The Provincial Loans Act.

Bill (No. 60), An Act to amend The Children's Protection Act.

Bill (No. 61), An Act to amend The Registry Act.

Bill (No. 62), An Act to amend The Partnership Registration Act.

Bill (No. 63), An Act to amend The Factory, Shop and Office Building Act.

Bill (No. 65), An Act to amend The Timiskaming and Northern Ontario Railway Act.

Bill (No. 66), An Act to consolidate and amend The Succession Duty Act.

Bill (No. 67), An Act to amend The Public Health Act.

Bill (No. 68), An Act to amend The Venereal Diseases Prevention Act.

Bill (No. 69), An Act to amend The Community Halls Act.

Bill (No. 70), An Act to amend The Dog Tax and Sheep Protection Act.

Bill (No. 79), An Act to amend The Loan and Trust Corporation Act.

Bill (No. 81), The Milk Control Act, 1934.

Bill (No. 84), An Act to amend The Division Courts Act.

Bill (No. 91), An Act to amend The Highway Traffic Act.

Bill (No. 95), An Act to amend The Dentistry Act.

Bill (No. 96), An Act to amend The Medical Act.

Bill (No. 110), An Act to amend The Public Parks Act.

Bill (No. 114), An Act to amend The Interpretation Act.

Bill (No. 115), An Act to amend The Mining Act.

Bill (No. 116), An Act respecting the Windsor-Walkerville Vocational School.

Bill (No. 118), An Act to amend The Insurance Act.

Bill (No. 119), An Act to appropriate Funds for Northern Development Purposes.

Bill (No. 120), An Act to amend The Ditches and Watercourses Act.

Bill (No. 121), An Act to amend The Co-operative Marketing Loan Act,  
1932

Bill (No. 122), An Act to amend The Election Act.



Bill (No. 123), An Act to amend The Voters' List Act.

Bill (No. 124), An Act to amend The Unemployment Relief Act, 1933.

Bill (No. 125), An Act to amend The Minimum Wage Act.

Bill (No. 126), An Act to amend The Ontario Municipal Board Act.

Bill (No. 127), The Mortgagors' and Purchasers' Relief Act, 1934.

Bill (No. 132), An Act respecting Woodmen's Employment Investigation.

Bill (No. 133), An Act to amend The Weed Control Act.

Bill (No. 134), An Act for raising Money on the Credit of the Consolidated Revenue Fund.

Bill (No. 138), An Act to amend The Representation Act, 1933.

Bill (No. 139), An Act to amend The Northern Development Act.

Bill (No. 140), An Act to amend The Liquor Control Act.

Bill (No. 141), The Federal District Commission Act, 1934.

Bill (No. 142), An Act to amend The Power Commission Act.

Bill (No. 143), An Act to amend The Deserted Wives' and Children's Maintenance Act.

Bill (No. 144), The Municipal Amendment Act, 1934.

Bill (No. 145), The Assessment Amendment Act, 1934.

Bill (No. 146), An Act to amend The Game and Fisheries Act.

Bill (No. 147), An Act to amend The Crown Timber Act.

Bill (No. 148), An Act to amend The Magistrates Act.

Bill (No. 149), An Act respecting Subsidies for Seed Grain.

Bill (No. 150), The Statute Law Amendment Act, 1934.

Bill (No. 151), An Act to amend The Provincial Parks Act.

Bill (No. 154), An Act to amend The Fruit Act.

Bill (No. 155), An Act to amend The Forest Fires Prevention Act.

Bill (No. 156), The Ontario Marketing Act, 1934.

Bill (No. 157), An Act to amend The Public Vehicles Act.

Bill (No. 158), An Act respecting the Handling of Gasoline.

To these Acts the Royal Assent was announced by the Clerk of the Legislative Assembly in the following words:—

“In His Majesty’s name, The Honourable the Lieutenant-Governor doth assent to these Bills.”

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Mr. Speaker then said:—

*May it please Your Honour:*

We, His Majesty’s most dutiful and faithful subjects, the Legislative Assembly of the Province of Ontario, in Session assembled, approach Your Honour with sentiments of unfeigned devotion and loyalty to His Majesty’s person and Government, and humbly beg to present for Your Honour’s acceptance a Bill intituled “An Act for granting to His Majesty certain sums of money for the Public Service of the financial year ending on the 31st day of October, 1935.”

To this Act the Royal Assent was announced by the Clerk of the Legislative Assembly in the following words:—

“The Honourable the Lieutenant-Governor doth thank His Majesty’s dutiful and loyal Subjects, accept their benevolence and assent to this Bill in His Majesty’s name.”

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The Honourable the Lieutenant-Governor was then pleased to deliver the following speech:—

*Mr. Speaker and Gentlemen of the Legislative Assembly:—*

As you have now completed the work of the Fifth Session of the Eighteenth Legislature of this Province, I am enabled at this time to relieve you of further attendance on your legislative duties.

At the opening of this Session, I ventured to express the hope that the progress towards the recovery of business and industry then observable would be maintained at an increasing rate. I am glad to notice that in many ways this hopeful expectation is being realized. The volume of trade has increased; better prices are being realized for our products, and surplus labour is being gradually absorbed by industry. We may, therefore, look forward with increasing confidence to the future and prepare for the new opportunities that await our country.

I observe that in the legislation you have enacted consideration has been given to the special needs of the time. In certain sections of the Province agriculture is menaced by the scarcity of seed grain, and the lack of credit to purchase necessary supplies. My Ministers have undertaken, with your approval, to assume on behalf of the Province, two-thirds of the financial responsibility for loans required for this purpose wherever the municipal authority will assume the balance. I trust that this offer will enlist sufficient co-operation to ensure an adequate measure of relief.

Another measure of interest to agriculture is the amendment to Co-operative Marketing and Loan Act whereby a provincial guarantee may be given to assist the work of the growers and Associations to market their crops to the best advantage. It is anticipated that the guarantee will be particularly helpful to the various Associations marketing tobacco, and no doubt other groups interested in marketing natural products will take advantage of this helpful legislation.

Legislation has been enacted for the purpose of strengthening the position of the Dairy Farmer. The object of this measure, entitled The Milk Control Act, is to bring into operation a plan whereby milk supply will be controlled to the end that the rights and interests of the producer, the distributor, and the consumer may be given proper protection.

By virtue of the enabling legislation you have enacted, it is intended that any constitutional obstacles to the operation of the contemplated Federal Marketing Control Law in this Province will be overcome. It is recognized that the advantageous handling of farm produce both in the domestic and foreign market is of supreme importance to the agricultural industry and calls for the closest co-operation between the Federal and Provincial authorities.

Although the United States Senate has failed to ratify the proposed seaway treaty, and thereby deferred the development of the water powers of the St. Lawrence River, my Ministers regard this action merely as a postponement of an inevitable undertaking. They rely, however, upon the provision already made for power supplies elsewhere to obviate any serious consequences to this Province in the meantime.

Increased activity and confidence continue to mark the mining industry by reason of the higher price paid for gold and the discovery and development of new and promising fields. The output of nickel from the Sudbury mines has doubled since 1932 and the production of copper has increased by 50 per cent. Mining in Northern Ontario has been stimulated, and placed on a more permanent footing, by the improved facilities for electrical power service made available through the Hydro-Electric Power Commission.

Increased authority and responsibility have been conferred upon the Liquor Control Board by the legislation for the regulation of the sale and consumption of beer and wines. It is the hope of my Ministers that under wise and careful administration the amendments made will bring a wider degree of public support to the enforcement of the Liquor Control Law, reduce the consumption of liquor of a high alcoholic content, and prove beneficial in the cause of true temperance.



As a result of the interprovincial conference held at Ottawa in December last regarding highway traffic, The Public Commercial Vehicle Act has been re-enacted to embody certain new provisions to ensure better control. While the Highways Department will continue to administer the law, matters concerning tariffs and discriminations will be dealt with by the Ontario Municipal Board in order that public needs and convenience may receive due consideration.

A number of important amendments have been made to The Minimum Wage Act. The maximum number of hours per week for which the minimum wage is to be paid has been reduced and brought under control. Provision has been made also to prevent the replacement of women by men at a lower wage. Employers will not be permitted to discharge employees for lodging complaints or giving evidence as to breaches of the Act. In addition, penalties for violations have been increased in order to strengthen the efficiency of this measure.

In view of the unsatisfactory conditions existing in the building trade and the construction industry, as disclosed by your Labour Committee, the necessity of a full and through investigation into the matter has been made apparent. This task has been confided to a Sub-committee, which will carry on during the recess and report to the Legislative Assembly at its next Session. The Committee is expected to study the various codes applicable to the trade, and submit a system designed to place the interests of all concerned on a better footing.

Although the labour situation is improving, it is necessary that unemployment relief be continued on a considerable scale for the present. The arrangements for direct relief between the Dominion, the Province and the Municipalities, and the provincial programme of relief works, including the construction of the Trans-Canada Highway, Roads and Public Buildings, involving originally an outlay of some thirty-eight millions of dollars, will be continued. In addition, the Province will co-operate, so far as opportunity is afforded, with the Federal programme of public works in order that further opportunities for employment may be created.

By the amendment to The Children's Protection Act, those sections of the law dealing with the responsibility of Boards and Officials in the matter of adequate supervision and control of the work and activities of Children's Aid Societies throughout the Province have been made more effective. I trust this will ensure the better care and treatment of children who, for the time being, are inmates of Shelters and Children's Homes and who are the wards of the local Children's Aid Societies.

In the consolidation of The Succession Duty Act, the main features of the law remain unchanged and the rates of duty are not affected. I observe, however, that the Act has been brought into conformity with the recent decision of the Judicial Committee of the Privy Council respecting the taxation of foreign property, and thus any doubts as to the validity of this provision have been removed.

Provision has been made by the amendments to The Public Health Act for the establishment of health units by the grouping together of counties and municipalities for public health purposes wherever such an arrangement will contribute to economy and efficiency.



In view of existing economic conditions, it has been deemed advisable to re-enact The Mortgagors' and Purchasers' Relief Act in order to give all concerned the benefits of this measure for another year. Among the other measures adopted are Bills to make further provision for the development of Northern and North-western Ontario; to amend The Insurance Act; to amend The Voters' Lists Act; to amend The Ontario Municipal Board Act, and to provide for the observance of Remembrance Day as a public holiday.

I desire to thank you for the financial provision you have made for carrying on the public services of the Province; and to assure you that the policy of retrenchment under which the budget has been balanced will continue to guide and control the expenditures of the Province.

In conclusion, I tender my sincere appreciation of your earnest efforts to safeguard the interests and advance the welfare of Ontario, and trust that under the blessing of Providence your labours will prove of lasting benefit to the community.

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The Provincial Secretary then said:—

*Mr. Speaker and Gentlemen of the Legislative Assembly:—*

It is the will and pleasure of The Honourable the Lieutenant-Governor, that this Legislative Assembly be prorogued and this Legislative Assembly is accordingly prorogued.

# **Journals of the Legislative Assembly**

PROVINCE OF ONTARIO

**1934**

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## **APPENDIX No. 1**

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Report, Minutes and Proceedings of the Standing  
Committee on Public Accounts

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Session of 1934



No. 1

# Report of the Standing Committee on Public Accounts

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SESSION OF 1934

*To the Honourable the Legislative Assembly of the Province of Ontario:*

GENTLEMEN:

Your Committee has had produced before it, the Public Accounts of the Province of Ontario for 1933, together with documents and correspondence, and has heard evidence in connection with the following:—

Bergman Construction Company, Limited, Number 32.48, concrete pavement, Guelph Waterloo Townships, Hespeler-Guelph project, \$40,440.40, page L 18, Public Accounts, 1933.

Witness examined: R. M. Smith, Deputy Minister of Highways.

Revenue Statement, Department of Attorney-General, Liquor Control Board, Profits, Fines, Licenses, etc., \$5,515,000. Permit Fees, \$485,000. Page 11, Public Accounts, 1933.

Witnesses examined: Stewart McClenaghan, Chairman, Liquor Control Board; Jno. T. White, Deputy Provincial Treasurer; J. A. McGeachie, Accountant, Liquor Control Board.

Documents produced:—

Exhibit No. 1—Cheque for \$65,000 issued by Liquor Control Board to the Treasurer of Ontario, representing purchase of confiscated stock, 1933.

Exhibit No. 2—Cheques for the amount of \$485,000 issued by the Liquor Control Board to the Provincial Treasurer, representing sale of permits, 1933.

Exhibit No. 3—Cheques for the amount of \$5,450,000 issued by the Liquor Control Board to the Provincial Treasurer, representing profits, 1933.

Exhibit No. 4—Balance Sheet, October 31st, 1933, Liquor Control Board.

Exhibit No. 5—Stock purchased November 1st, 1932, to October 31st, 1933.

Exhibit No. 6—Statements showing confiscated stock taken over by Liquor Control Board.



Your Committee also investigated the charges made in the House on Thursday, March 15th, by the Member for Wellington, South, to the effect that J. R. Gunning, while employed as a foreman by the Department of Public Highways on the Talbotville Division, and during the years 1929 and 1930, did falsify the pay sheets certified by him and as a result did obtain money from the Department for which no return in work or labour was made.

Witnesses examined: Hon. Leopold Macaulay, Minister of Highways; R. M. Smith, Deputy Minister of Highways; W. H. Brown, Accountant, Department of Highways; Hugh McPherson, District Engineer; Jas. R. Gunning, Foreman, Talbotville, Ont.; Norman Milligan, Talbotville, Ont.; Colin McCallum, Talbotville, Ont.; Rev. Robt. Copeland, London, Ont.; Wilfred Fife, Talbotville, Ont.; E. P. Boughner, Talbotville, Ont.; Jno. Gunning, Talbotville, Ont.; Harold Knight, Talbotville, Ont.; Mrs. Jas. R. Gunning, Talbotville, Ont.; Jno. Brown, Talbotville, Ont.; Henry M. Walker, Talbotville, Ont.; Cameron Sutton, Talbotville, Ont.; William Hicks, Talbotville, Ont.

Documents produced:—

Exhibit No. 1—Copy of letter dated December 6th, 1933, from the Honourable the Premier; letter, December 4th, 1933, from Henry M. Walker to the Prime Minister; copy of letter from Minister of Highways, dated December 15th, 1933; and copy of letter dated December 16th, 1933, from the Prime Minister to Walker.

Exhibit No. 2—Letter dated September 10th, 1932, received October 12th, 1932, from H. M. Walker to Superintendent of Highways, Toronto.

Exhibit No. 3—Copy of report dated October 19th, 1932, from D. C. Shervill to the District Inspector, O. P. Police, London.

Exhibit No. 4—Cheque dated Toronto, May 6th, 1932, to W. Fife, for \$44.00, P.L. 71917.

Exhibit No. 5—Pay List No. 71917, dated May 2nd, 1930.

Exhibit No. 6—Time Book, April 16th to 30th.

Exhibit No. 7—Cheques dated April 22nd, 1930, to W. Fife for \$37.95; P.L. 71606.

Exhibit No. 8—Pay List No. 71606, dated April 16th, 1930, from 1st April to 15th April, 1930.

Exhibit No. 9—Time Book, April 1st to 15th, 1930.

Exhibit No. 10—Cheque dated January 20th, 1930, to W. Fife for \$6.05, P.L. 70234.

Exhibit No. 11—Pay List No. 70234, dated January 18th, 1930, from 1st to 15th January, 1930.

Exhibit No. 12—Package of correspondence.

Exhibit No. 13—Memo dated March 1st, 1933, from H. E. Macpherson, Resident Engineer, to Mr. Smith.

Exhibit No. 14—Letter dated March 2nd, 1934, from Mr. Brown to Mr. Macpherson.

Exhibit No. 15—Memorandum dated March 11th, 1933, from W. H. Brown, for R. M. Smith, with copy of report by D. C. Shervill, dated October 19th, 1932.

Exhibit No. 16—Copy of letter dated June 12th, 1933, from W. H. Brown to H. E. Macpherson; and memorandum dated June 14th, 1933, from Macpherson to Brown.

Exhibit No. 17—Bundle of correspondence between Foley and Myers and the Department of Highways.

Exhibit No. 18—Copy of letter from the Deputy Minister dated January 11th, 1934, to J. T. Webster.

Exhibit No. 19—Cheque, December 3rd, 1929, to J. Brown, \$5.50; P.L. 69468, showing 10 hours at 55 cents, \$5.50.

Exhibit No. 20—Declarations made by H. M. Walker and John Brown, with copies of pay sheets.

Exhibit No. 21—Pay Lists.

Exhibit No. 22—Cheques.

Exhibit No. 23—Large book of records of Talbotville United Church.

Exhibit No. 24—Annual Report of Talbotville United Church, 1930.

Exhibit No. 25—Summary of attached labour sheets.

Exhibit No. 26—Two cheques, Department of Highways, May 6th, 1930, payable to E. P. Boughner.

Exhibit No. 27—Department of Public Highways, Pay List No. 65655, April 2nd, 1929.

Exhibit No. 28—Department of Public Highways, Pay List No. 65806, April 17th, 1929, with cheque to John Brown, April 18th, 1929, for \$5, attached.

Your Committee held eight meetings and examined in all twenty-one witnesses. The minutes of the Committee and the evidence taken before said Committee will be produced to the Clerk of the Legislative Assembly in due course.

Your Committee recommends that the minutes of the Committee and the evidence submitted be published as an appendix to the Journals of the House for the present Session.

All of which is respectfully submitted.

W. D. BLACK,  
*Chairman.*

Public Accounts Committee Room,  
Tuesday, March 27th, 1934.

*To the Honourable the Legislative Assembly of the Province of Ontario:*

GENTLEMEN:—

Your Committee has had produced before it the following statement of the operations of the Liquor Control Board of Ontario from the inception of the Board's operations up to the end of the fiscal year, October 31st, 1933:—

STATEMENT SHOWING THE ANNUAL NET PROFITS OF THE LIQUOR CONTROL BOARD OF ONTARIO  
SINCE THE COMMENCEMENT OF OPERATIONS ON JUNE 1ST, 1927, AND ALSO THE ANNUAL  
PAYMENTS MADE TO THE PROVINCIAL TREASURER FOR SUCH PROFITS

	Net Profits	Profit Payments to Provincial Treasurer	Amount of Profits Not Paid	Amount Paid from Surplus
For the fiscal period which ended October 31st, 1927 (5 months) . . .	\$2,804,760.25	\$2,800,000.00	\$4,760.25	.....
For the fiscal period which ended October 31st, 1928.....	7,828,088.32	7,225,000.00	603,088.32	.....
For the fiscal period which ended October 31st, 1929.....	9,661,448.60	7,505,000.00	2,156,448.60	.....
For the fiscal period which ended October 31st, 1930.....	9,315,967.30	7,495,000.00	1,820,967.30	.....
For the fiscal period which ended October 31st, 1931.....	8,491,653.43	10,000,000.00	.....	\$1,508,346.57
For the fiscal period which ended October 31st, 1932.....	6,632,430.48	9,260,000.00	.....	2,627,579.52
For the fiscal period which ended October 31st, 1933.....	5,432,621.54	5,450,000.00	.....	26,378.46
	\$50,157,959.92	\$49,735,000.00	\$4,585,264.47	\$4,162,304.55
		Total unpaid..	.....	422,959.92
				\$4,585,264.47

STATEMENT FOR 1932

Loan from bankers, less cash, and in transit and balances in other banks, \$835,876.23. On the 31st of October, the end of the fiscal year there was an overdraft of \$1,230,700.72, at the Bank of Commerce, due to a cheque of \$1,250,000.00 issued to the Provincial Treasurer. This overdraft was reduced to some \$835,876.23 by cash on hand in transit. Surplus, 31st October, 1932, \$449,338.38.

All of which is respectfully submitted.

W. D. BLACK,  
*Chairman.*

Public Accounts Committee Room,  
Wednesday, March 28th, 1934.

## Minutes

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### COMMITTEE ON PUBLIC ACCOUNTS, 1934

Public Accounts Committee Room,  
Parliament Buildings,  
Toronto, March 9th, 1934.

The Select Standing Committee to whom was referred the examination of the Public Accounts of the Province for the fiscal year 1932-1933 and composed of the following Members: Messrs. Henry, Acres, Baird, Berry, Black, Blanchard, Bragg, Burt, Calder, Campbell, Case, Colliver, Craig, Davis, Ecclestone, Elliott, Ellis, Finlayson, Fraleigh, Freele, Graham, Heighington, Hill, Hipel, Honeywell, Hutchinson, Ireland, Jamieson, Jutten, Kennedy (Peel), Kenning, Lancaster, Lyons, Macaulay, Mackay, Martin (Hamilton), Martin (Brantford), Moore, Morrison, Munro, Murphy (Beaches), Murphy (St. Patrick), Murray, McArthur, McBrien, McCrea, McLean, McNaughton, McQuibban, Nesbitt, Newman, Nixon, Oakley, Oliver, Price (Parkdale), Price (York, West), Reid, Robb, Robertson, St. Denis, Sangster, Seguin, Shaver, Simpson, Sinclair, Singer, Slack Smith (Essex), Smith (Greenwood), Spence, Strickland, Tweed, Willson (Niagara Falls), Wilson (Windsor)—74, met this day for organization.

Present: Messrs. Baird, Black, Blanchard, Campbell, Colliver, Davis, Ecclestone, Finlayson, Hill, Hipel, Hutchinson, Ireland, Jamieson, Lyons, Mackay, Martin (Hamilton), Munro, Murray, McBrien, McCrea, McQuibban, Nixon, Reid, Sangster, Singer, Smith (Essex), Strickland, Wilson (Windsor).

Moved by Mr. Finlayson, seconded by Mr. Ireland,

That the Honourable Mr. Black be appointed Chairman of the Committee.  
Carried. Mr. Black then took the Chair.

Moved by Mr. M. O. Hipel, seconded by Mr. D. P. Munro,

That Mr. R. M. Smith, Deputy Minister of Highways, be summoned to appear before this Committee and give evidence and bring all vouchers, cheques, receipts, orders and memoranda referring to the items set out herewith and also all contracts, plans, correspondence and documents of any nature and kind whatsoever in relation to said items, the items appearing in the Public Accounts as follows:—

Public Accounts, 1933, Page L 18.

Bergman Construction Company, Ltd., No. 32.48, Concrete Pavement,  
Guelph Waterloo Townships, Hespeler-Guelph project, \$40,440.40.



Moved by Mr. McQuibban, seconded by Mr. Munro,

That there be laid before this Committee all cheques, drafts, promissory notes, Bills of Exchange and receipts for money drawn upon or held by the Bankers of the Liquor Control Board of Ontario or in the possession of the said Board or Bankers together with all books, documents or writings containing any entry, memoranda or minute with reference to the following items, that is to say:

Public Accounts, 1933, Page 11, Revenue Statement, Department of the Attorney-General—"Liquor Control Board, Profits, Fines, Licenses, etc., \$5,515,000; Permit Fees, \$485,000," and that there be subpoenaed as witnesses to give evidence in this behalf: J. T. White, Deputy Provincial Treasurer; W. A. Orr, Controller of Revenue; Stewart McClenahan, Liquor Board Commissioner; Accountant of Main Office of each Bank doing business with Liquor Control Board.

Moved by Mr. Nixon, seconded by Mr. Hipel,

That the Acting Provincial Auditor be summoned to attend before this Committee and give evidence on the new system of bookkeeping by which cross-entries are adjusted and eliminated from the financial statements, as for instance, Page R 22, Expenses, Ontario Reformatory Industries, Total, \$27,871.08—Less Sale of Produce, \$27,871.08.

The Committee then adjourned until Wednesday, March 14th, at 10 a.m.

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## SECOND SITTING

Public Accounts Committee Room,  
Parliament Buildings,

Toronto, March 14th, 1934.

The Committee met at 10 a.m.

Present: Messrs. Baird, Blanchard, Bragg, Burt, Campbell, Case, Craig, Davis, Elliott, Finlayson, Freele, Heighington, Hill, Hipel, Honeywell, Ireland, Jutten, Kenning, Lancaster, Mackay, Martin (Hamilton), Moore, Munro, Murphy (Beaches), McLean, McQuibban, Nixon, Oliver, Price (Parkdale), Price (York, West), Reid, Robertson, St. Denis, Simpson, Sinclair, Singer, Slack, Smith (Essex), Spence, Tweed.

Moved by Mr. Ireland, seconded by Mr. Case,

That Mr. Baird take the Chair in the absence of Mr. Black. Carried.

Mr. R. M. Smith, Deputy Minister of Highways, was duly sworn and examined by Mr. Hipel and Mr. Macaulay *re*:—

Public Accounts, 1933, Page L 18, Bergman Construction Company, Ltd., No. 32.48, Concrete Pavement, Guelph Waterloo Townships, Hespeler-Guelph Project, \$40,440.40.

Mr. McClenahan, Chairman of the Liquor Control Board, was duly sworn and examined by Mr. Munro *re*:—

Public Accounts, 1933, Page 11, Revenue Statement, Department of the Attorney-General—"Liquor Control Board, Profits, Fines, Licenses, etc., \$5,515,000; Permit Fees, \$485,000."

Mr. J. T. White, Deputy Provincial Treasurer, was duly sworn and examined by Mr. McQuibban and Mr. Munro *re*:—

Public Accounts, 1933, Page 11, Revenue Statement, Department of the Attorney-General—"Liquor Control Board, Profits, Fines, Licenses, etc., \$5,515,000; Permit Fees, \$485,000."

Mr. McGeachie, Accountant, Liquor Control Board, was duly sworn and examined by Mr. McQuibban, Mr. Munro and Honourable Mr. Price *re*:—

Public Accounts, 1933, Page 11, Revenue Statement, Department of the Attorney-General—"Liquor Control Board, Profits, Fines, Licenses, etc., \$5,515,000; Permit Fees, \$485,000."

Moved by Mr. Nixon, seconded by Mr. Oliver,

That Mr. J. T. White, Assistant Treasurer, be summoned to appear before this Committee and produce documents and give evidence relating to item, Restitution, H. L. Austin, \$18,515.00, Page 19, Public Accounts; also Page P 11, F. M. Turnbull, Additional Services, \$2,000.

The Committee then adjourned until Wednesday, March 21st, at 10 a.m.

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### THIRD SITTING

Public Accounts Committee Room,  
Parliament Buildings,  
Toronto, March 21st, 1934.

The Committee met at 10 a.m.

Honourable Mr. Black was in the Chair.

Present: Messrs. Berry, Blanchard, Bragg, Burt, Campbell, Case, Colliver, Davis, Ecclestone, Freele, Hill, Hipel, Honeywell, Ireland, Jutten, Lyons, Macaulay, Mackay, Moore, Morrison, Munro, Murphy (Beaches), Murphy (St. Patrick), Murray, McLean, McQuibban, Nesbitt, Newman, Nixon, Oakley, Oliver, Price (Parkdale), Price (York, West), Reid, Robertson, St. Denis, Sangster, Simpson, Sinclair, Singer, Slack, Smith (Essex), Smith (Greenwood), Spence, Strickland, Tweed.

Mr. J. A. McGeachie, Accountant, Liquor Control Board, was recalled and further examined by Mr. McQuibban and Mr. Munro.

The following witnesses were duly sworn and examined by Honourable Mr. Macaulay and Mr. Munro in connection with the charges made in the House on Thursday, March 15th, by the Member for Wellington, South, to the effect that J. R. Gunning, while employed as a Foreman by the Department of Public Highways on the Talbotville Division, and during the years 1929 and 1930, did falsify the pay sheets certified by him and as a result did obtain money from the Department for which no return in work or labour was made:—

Honourable L. Macaulay, Minister of Public Highways.

Mr. R. M. Smith, Deputy Minister of Public Highways.

Mr. W. H. Brown, Accountant, Department of Public Highways.

The Committee then adjourned until Thursday, March 22nd, at 10 a.m.

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#### FOURTH SITTING

Public Accounts Committee Room,  
Parliament Buildings,  
Toronto, March 22nd, 1934.

The Committee met at 10 a.m.

Honourable Mr. Black was in the Chair.

Present: Messrs. Baird, Berry, Blanchard, Bragg, Burt, Calder, Campbell, Colliver, Craig, Davis, Ecclestone, Freele, Graham, Hill, Hipel, Honeywell, Jamieson, Jutten, Lyons, Macaulay, Martin (Hamilton), Moore, Morrison, Murray, McArthur, McQuibban, Nixon, Oliver, Price (Parkdale), Reid, Robertson, St. Denis, Simpson, Sinclair, Singer, Slack, Smith (Essex), Smith (Greenwood), Spence, Strickland, Tweed, Willson (Niagara Falls).

The following witnesses were duly sworn and examined by Honourable Mr. Macaulay and Mr. Munro in connection with the charges made in the House on Thursday, March 15th, by the Member for Wellington, South, to the effect that J. R. Gunning, while employed as a Foreman by the Department of Public Highways on the Talbotville Division, and during the years 1929 and 1930, did falsify the pay sheets certified by him and as a result did obtain money from the Department for which no return in work or labour was made:—

Mr. H. E. MacPherson, Resident Engineer, Department of Public Highways, London, Ontario.

Mr. J. R. Gunning, Foreman, Talbotville, Ontario.

The Committee then adjourned until 1.30 p.m.

The Committee resumed at 1.30 p.m.

Honourable Mr. Black was in the Chair.

Present: Messrs. Berry, Blanchard, Burt, Campbell, Craig, Davis, Ecclestone, Freele, Hill, Hipel, Honeywell, Ireland, Jutten, Lyons, Macaulay, Martin (Hamilton), Moore, Morrison, Munro, Murray, McCrea, McQuibban, Oliver, Price (York, West), Reid, Robertson, St. Denis, Simpson, Singer, Smith (Essex), Spence.

The following witnesses were duly sworn and examined by Honourable Mr. Macaulay and Mr. Munro in connection with the charges made in the House on Thursday, March 15th, by the Member for Wellington, South, to the effect that J. R. Gunning, while employed as a Foreman by the Department of Public Highways on the Talbotville Division, and during the years 1929 and 1930, did falsify the pay sheets certified by him and as a result did obtain money from the Department for which no return in work or labour was made:—

W. J. Milligan, R.R. No. 7, St. Thomas, Ontario.

C. McCallum, R.R. No. 7, St. Thomas, Ontario.

Rev. Robt. Copeland, 233 Hale Street, London, Ontario.

Wilfred Fife, Talbotville, Ontario.

E. P. Boughner, Talbotville, Ontario.

John Gunning, Talbotville, Ontario.

Harold Knight, Lambeth, Ontario.

Mrs. Jas. Gunning, Talbotville, Ontario.

A. Coombs, London, Ontario.

The Committee then adjourned until Friday, March 23rd, at 10.30 a.m.

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## FIFTH SITTING

Public Accounts Committee Room,  
Parliament Buildings,  
Toronto, March 23rd, 1934.

The Committee met at 10.30 a.m.

Honourable Mr. Black was in the Chair.

Present: Messrs. Berry, Blanchard, Burt, Colliver, Craig, Ecclestone, Hill, Ireland, Lyons, Macaulay, Mackay, Moore, Munro, Murphy (Beaches), Murray, McArthur, McQuibban, Oliver, Robertson, St. Denis, Sangster, Simpson, Sinclair, Slack, Smith (Essex), Smith (Greenwood), Spence, Strickland, Tweed.



Mr. John Brown, Talbotville, was duly sworn and examined by Honourable Mr. Macaulay and Mr. Munro in connection with the charges made in the House on Thursday, March 15th, by the Member for Wellington, South, to the effect that J. R. Gunning, while employed as a Foreman by the Department of Public Highways on the Talbotville Division, and during the years 1929 and 1930, did falsify the pay sheets certified by him and as a result did obtain money from the Department for which no return in work or labour was made.

The Committee then adjourned until Monday, March 26th, at 2 p.m.

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### SIXTH SITTING

Public Accounts Committee Room,  
Parliament Buildings,  
Toronto, March 26th, 1934.

The Committee met at 2 p.m.

Honourable Mr. Black was in the Chair.

Present: Messrs. Acres, Baird, Berry, Blanchard, Burt, Campbell, Case, Colliver, Craig, Davis, Elliott, Ellis, Freele, Graham, Heighington, Hill, Hipel, Honeywell, Ireland, Jamieson, Jutten, Kenning, Lyons, Macaulay, Mackay, Martin (Hamilton), Morrison, Munro, Murphy (Beaches), McBrien, McQuibban, Newman, Oliver, Price (Parkdale), Reid, Robertson, St. Denis, Sangster, Shaver, Simpson, Sinclair, Smith (Greenwood), Strickland, Wilson.

The following witnesses were duly sworn and examined by Honourable Mr. Macaulay, Mr. Munro and other members of the Committee in connection with charges made in the House on Thursday, March 15th, by the Member for Wellington, South, to the effect that J. R. Gunning, while employed as a Foreman by the Department of Public Highways on the Talbotville Division, and during the years 1929 and 1930, did falsify the pay sheets certified by him and as a result did obtain money from the Department for which no return in work or labour was made:—

Henry M. Walker, Talbotville, Ontario.

Cameron Sutton, Talbotville, Ontario.

Wm. Hicks, Talbotville, Ontario.

The Committee then adjourned until Tuesday, March 27th, at 10.30 a.m.

## SEVENTH SITTING

Public Accounts Committee Room,  
Parliament Buildings,  
Toronto, March 27th, 1934.

The Committee met at 10.30 a.m.

Honourable Mr. Black was in the Chair.

Present: Messrs. Berry, Blanchard, Campbell, Colliver, Craig, Hill, Hipel, Ireland, Jamieson, Kenning, Lancaster, Macaulay, Mackay, McQuibban, Nixon, Oliver, Price (York, West), Sangster, Strickland, Tweed.

The Chairman presented his report of the proceedings of the Committee in which the members concurred and which is to be presented to the Legislative Assembly this day.

The Committee then adjourned until Wednesday, March 28th, at 10.30 a.m., to consider further investigation of the Liquor Control Board, Profits and Permit Fees.

## EIGHTH SITTING

Public Accounts Committee Room,  
Parliament Buildings,  
Toronto, March 28th, 1934.

The Committee met at 10.30 a.m.

Honourable Mr. Black was in the Chair.

Present: Messrs. Berry, Blanchard, Burt, Craig, Finlayson, Hill, Honeywell, Ireland, Lancaster, Martin (Hamilton), Moore, Murphy (Beaches), Murray, Nixon, Oliver, Price (Parkdale), Price (York, West), Robertson, Singer, Smith (Greenwood), Tweed.

Honourable W. H. Price, Attorney-General, presented a statement to the Committee showing the annual net profits of the Liquor Control Board of Ontario since commencement of operations on June 1st, 1927, and also the annual payments made to the Provincial Treasurer from such profits.

There being no further business the Committee then adjourned for the Session.

## Proceedings

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### STANDING COMMITTEE ON PUBLIC ACCOUNTS

Parliament Buildings,  
Toronto, March 9th, 1934, 10.30 a.m.

MR. BAIRD: I move that Mr. Finlayson take the Chair in this Committee.

HON. MR. FINLAYSON: I thank you very much for the compliment, but I think it would be better if Mr. Black would take the Chair of the Committee, and so move.

MR. IRELAND: I second the motion.

MR. FINLAYSON: Do you concur? Carried.

MR. BLACK (taking the Chair): Gentlemen, if you will come to order we will proceed with the business of the Committee.

It is not necessary to call the roll, as the Secretary has already checked the names of those present.

MR. REID: You might introduce the Four Horsemen at the table.

HON. MR. FINLAYSON: What are the Four Horsemen going to do?

MR. MCQUIBBAN: If we could get you out of the way we might do something.

HON. MR. FINLAYSON: You have something to move?

MR. MCQUIBBAN: Mr. Chairman, I wish to submit the following motion:

I move, seconded by Mr. Munro:—

That there be laid before this Committee all cheques, drafts, promissory notes, Bills of Exchange and receipts for money drawn upon or held by the Bankers of the Liquor Control Board of Ontario or in the possession of the said Board or Bankers, together with all books, documents or writings containing any entry, memoranda or minute with reference to the following items, that is to say:

1. Public Accounts, 1932, page 11, Revenue Statement, Department of Attorney-General—"Liquor Control Board, Profits, Fines, Licenses, \$9,260,000."

2. Public Accounts, 1933, page 11, Revenue Statement, Department of the Attorney-General—"Liquor Control Board, Profits, Fines, Licenses, etc., \$5,515,000; Permit Fees, \$485,000," and that there be subpoenaed as witnesses to give evidence in this behalf:—

J. T. White, Deputy Provincial Treasurer.

W. A. Orr, Controller of Revenue.

Stewart McClenahan, Liquor Control Board Commissioner; and the Bankers of the said Commission.

THE CHAIRMAN: Gentlemen, you have heard the Resolution submitted by Mr. McQuibban. What is your pleasure?

HON. MR. FINLAYSON: Just a minute. One of these is 1932. That is not subject to inquiry in the Committee.

MR. MCQUIBBAN: May I suggest, Mr. Finlayson, that the Liquor Control Report, that is the Balance Sheet and Profit and Loss Sheet, does not reach us or get into our hands until the recess between the Sessions; so that it is impossible to dissect it or go into the different items before the Session closes.

HON. MR. FINLAYSON: But you are asking in regard to the Public Accounts of 1932. My honourable friend has not been a member of the Committee perhaps for very long.

MR. MCQUIBBAN: For eight Sessions.

HON. MR. FINLAYSON: Then my honourable friend has known that not only for eight Sessions but for eighteen or twenty Sessions it has been the rule that what this Committee is appointed for is to examine the Public Accounts which are brought down.

The Public Accounts are brought down one day and then you ask to have the Committee appointed to examine into those accounts; and that is what we are here for.

My honourable friend, Mr. Nixon, will remember that in his days that was the rule that was laid down, and it has been followed for many years.

HON. MR. NIXON: I think there have been instances in which the Committee has decided to go beyond the Public Accounts of the immediate year.

HON. MR. FINLAYSON: I do not question that. I do not press it to-day, but I draw your attention to it, that if you start to go back there is no end of where the work may terminate. I looked it up at one time. I think when Mr. Smith was Treasurer, under Mr. Raney's ruling laid down very definitely, the accounts that were brought down by the Treasurer were laid before the House, and immediately the Committee is appointed to go into those accounts. There can be no doubt as to that, but I would allow it to stand until we see what it means



What strikes me is that this is such a sweeping order that if we start going into all this such as is asked for, there would be no end of it. I would suggest that it might be dropped for the present, anyway.

MR. MCQUIBBAN: Would it be feasible for the entire Committee to form a sub-committee to examine a certain number of these documents, ledgers and so on and report back to the large Committee?

HON. MR. FINLAYSON: Yes, on the accounts for this year. I would suggest that for the present you drop 1932; and if you want to press it later on, I will not object; but if you look up the records here you will find that has been the ruling over a period of perhaps thirty or forty years.

MR. MCQUIBBAN: It will interfere a great deal with my argument in following up the details of what I have in view. The picture would start in 1932 and go on to the present time.

HON. MR. FINLAYSON: In the same way your picture would go back to the time when the Liquor Control Board was established.

MR. MCQUIBBAN: I am not asking for that. May I ask the honourable member what the objection is to letting us take the items out of 1932?

MR. FINLAYSON: My argument is that this Committee has no authority to go into the accounts for 1932. The Committee is established to go into the Public Accounts which have been just brought down.

I do not know of it ever having been done before.

MR. MCQUIBBAN: My distinct recollection is that it has been done, and I have heard you state that we could go back as far as we liked.

HON. MR. FINLAYSON: I remember that in one or two cases—I cannot remember the instances, but I remember that in one case there was some exception made for a particular reason.

MR. IRELAND: That was in a case where something was left back a year, I think.

HON. MR. FINLAYSON: If my honourable friend will allow it to stand and drop that first item out of the motion at present, I will be glad to consent to it being revived after we see what it amounts to.

His suggestion to have a sub-committee to go into things is a good one; but to start going back of the Public Accounts of this Session, I would not consent.

MR. MCQUIBBAN: We have not had an opportunity of going into this because we have not had the material before.

HON. MR. FINLAYSON: This Committee sat last year, when you had the accounts before you.

MR. MCQUIBBAN: But we had the supplementary accounts of that Board in the meantime.

HON. MR. FINLAYSON: The short answer to it is that you are not authorized to go into this.

What I am suggesting is that, if you want to press it, I will be pleased to see if there is any necessity for it at a later date; but you are asking the Committee to pass a Resolution which is clearly beyond their authority. If you look at the appointment of this Committee, you will see that it is appointed to consider the Public Accounts presented to the House the other day. This is going beyond that.

MR. MCQUIBBAN: You have intimated on previous occasions that the Public Accounts were open to us.

HON. MR. FINLAYSON: Yes, they were open year after year, if you asked for it. Some years you did not ask for it, but you did have a Committee last year charged with the duty of examining the 1932 accounts.

HON. MR. MCCREA: Mr. Chairman, perhaps I could help clear up this situation. There have been times, I think, on more than one occasion when the Public Accounts Committee went into the year which was not the year referred.

If I recall it, Mr. Sinclair, almost at the close of the Session had asked for some information, and the getting of it or going into it was going to delay the closing of the House; and I think the Hon. Mr. Finlayson pointed out that, on the understanding that it would be taken up the following year, the matter would stand over until the following year. I think under those circumstances the Committee went into the previous year's accounts.

The point was raised at the time when it was proper to be raised, and I think the matter was investigated subsequently. I agree with Hon. Mr. Finlayson that the reference to this Committee was the Public Accounts of 1933; and in the absence of some special direction from the House, I do not think this Committee has power to go into anything beyond that.

THE CHAIRMAN: As Chairman of this Committee for the past number of years it has always been my full understanding that the Committee's duties were only to cover the accounts of this year; and during that I time have no recollection of any divergence from that; and my ruling would be that this Committee can only investigate the accounts of the present year. Therefore I would say that Clause No. 1 would necessarily have to go out of the motion. Is that your pleasure, gentlemen? Carried.

No. 1 Clause goes out.

HON. MR. FINLAYSON: Then as to Item No. 2, Mr. Chairman, may I draw my honourable friend's attention; in the practical working out of No. 2, if you will tell us what Banks you want, we may possibly get it for you. We do not want to bring everybody.

MR. MCQUIBBAN: We do not know what Banks the Liquor Control Board does business with.

HON. MR. FINLAYSON: It is so general that it might mean any of the thousand odd officers of the Banks that they deal with. I do not know which one it means. We cannot subpoena a whole Bank.

MR. MCQUIBBAN: Will my honourable friend consent to a sub-committee, and let them find out? It will be necessary to look over the cheques, ledgers and documents as to the money that has passed from the Liquor Control Board to the Government.

HON. MR. FINLAYSON: If my honourable friend will tell me what it is that he wants, I will be glad to consider it. What I am troubled with is that this asks us to call the whole of the officers of the Bank.

MR. MCQUIBBAN: I would say the Manager and the Accountant of the Banks in Toronto with which the Liquor Control Board has done business

HON. MR. FINLAYSON: You mean the General Account?

MR. MCQUIBBAN: Yes.

HON. MR. FINLAYSON: And you suggest that later on we might get a sub-committee to look into it?

MR. MCQUIBBAN: Yes.

HON. MR. FINLAYSON: I do not know which Bank they do business with.

MR. MCQUIBBAN: And we do not know it, or we would have specified it.

MR. BAIRD: Is the idea behind this proposition that the Province should have received a greater profit out of this business than at present?

MR. MCQUIBBAN: No, I may say that in 1932, Mr. Baird, in looking over the report in the recess between Sessions, the Government took more than the actual profits of that year by a considerable amount of money; and that is where my story starts out; and I cannot see where there can be any objection to my going into that and building up until the Public Accounts of 1933. In the Public Accounts there is simply the large item of \$9,000,000 odd without any items.

MR. BAIRD: Sometimes the Government is criticized for taking too much. Are you saying that they took less money than they should?

MR. MCQUIBBAN: No, that is not it.

HON. MR. NIXON: Sometimes that they borrow money from the till.

HON. MR. FINLAYSON: Perhaps we can clear up what you want to do. As I understand, it is to get the details of this item of \$5,000,000 odd and \$485,000, and you want to subpoena Mr. White and Mr. Orr, and have them bring the

material for that purpose so that you can dissect that and go into it; and then you would like, if necessary, to verify that from the banking end of it?

MR. MCQUIBBAN: Yes, and the same thing with 1932, if you would be in a generous mood this morning.

HON. MR. FINLAYSON: I am afraid my friend does not grasp the point that we are a Committee appointed only to examine these accounts. If a sub-committee will save time, we will be glad to consider it.

May I suggest to members of the Committee that if there are any other motions, if we could get them now we could get the material ready and tell the appropriate department what we want. I do not mean that it would all come up at the next meeting. Mr. Nixon has been here long enough to know how difficult it is to get the material together. We have fellows working at night to get the answers to the questions for you.

HON. MR. NIXON: They do not make a very good job of it.

HON. MR. FINLAYSON: I think you were satisfied.

HON. MR. NIXON: I am sorry that my motion is not in very good shape, as your whip kept me down town.

I would like to go into questions of cross-entries, and to get someone from the Audit Department to explain the new system of bookkeeping.

I move, seconded by Mr. Hipel,

That Mr. Gordon A. Brown, Provincial Auditor, be summoned to attend before this Committee and give evidence on the new system of bookkeeping by which cross-entries are adjusted and eliminated from the financial statements. As, for instance, page R 22, Expenses, Ontario Reformatory Industries, Total, \$27,871.08. Less Sale of Produce, \$27,871.08.

Of course I do not want my inquiry to be limited to the one item but would like more or less to get some grasp of this new system.

HON. MR. FINLAYSON: You want Mr. Brown to come and explain the system?

HON. MR. NIXON: Yes.

HON. MR. FINLAYSON: You are not limited to the one item.

THE CHAIRMAN: Shall this motion carry, gentlemen? Carried.

MR. N. O. HIPEL: Moved by myself, and seconded by Mr. D. P. Munro,

That Mr. R. M. Smith, Deputy Minister of Highways, be summoned to appear before this Committee and give evidence, and bring all vouchers, cheques, receipts, orders and memoranda referring to the items set out



herewith, also all contracts, plans, correspondence and documents of any nature and kind whatsoever in relation to said items, the items appearing in the Public Accounts as follows:

Public Accounts, 1933, page L 18:—

Bergman Construction Company, Ltd., No. 32-48, Concrete Bases, Guelph-Waterloo Townships, Hespeler-Guelph project, \$40,440.40.

Public Accounts, 1931, page L 20:—

Holmes and Jamison, No. 30-48, Concrete Pavement, Waterloo Township, Galt-Guelph project, \$23,354.91.

Public Accounts, 1932, page L 18:—

I will enlarge on the various items when I get through.

Frank Barber & Associates, Ltd., No. 30-45, Breslau Bridge Supervision, Waterloo Township, Stratford-Guelph project, \$12,208.17.

Public Accounts, 1932, page L 18:—

Dufferin Paving & Crushed Stone, Ltd., No. 30-45, Breslau Bridge approaches, Waterloo Township, Kitchener-Guelph project, \$18,671.46.

Public Accounts, 1932, page L 19:—

Standard Paving, Ltd., Nos. 970 and 1102, Concrete Repairs, Waterloo Township, Stratford-Guelph project, \$1,931.50.

Public Accounts, 1932, page L 19:—

Dufferin Paving & Crushed Stone, Ltd., \$140.58.

Public Accounts, 1932, page L 19:—

Canadian Inspection & Testing Company, Ltd., Tests, \$39.45.

Public Accounts, 1932, page L 19:—

Dufferin Paving & Crushed Stone, Ltd., laying amisite, \$333.16.

Public Accounts, 1932, page L 20:—

Oliver Betzner, Waterloo Township, borrow pit, \$258.00.

The items appearing in the Public Accounts of 1931, to which above motion refers, are as follows:—

Also items from Public Accounts, 1930-1931, pages L 20, 21 and 22:—

Page L 20:—

Frank Barber & Associates, Ltd., No. 30-45, engineering fees, supervision, Breslau Bridge over Grand River, Waterloo Township, Stratford-Guelph project, \$2,943.20.

Dufferin Paving & Crushed Stone, Ltd., Order No. 704, Breslau Bridge approaches, Waterloo Township, Guelph-Kitchener project, \$16,758.45.

Dufferin Paving & Crushed Stone, Ltd., No. 30-45, Breslau Bridge, Waterloo Township, Guelph-Kitchener project, \$94,149.29.

Page L 22:—

Purchase of property, Waterloo Township, borrow pit, \$300.00.

Page L 21:—

Property and Miscellaneous, Canadian Inspection and Testing Company, Ltd., \$27.04.

Now, Mr. Chairman, I would like to make a few explanations. The first item there, Bergman Construction Company, Ltd.: In that connection the only thing I had in mind, providing the Committee sanctions the right or the privilege of reviewing last year's Public Accounts, was the contract price or the contract generally speaking. I am not interested in the vouchers or the details of that.

Then the second item. Last year, appearing before the Public Accounts Committee, I asked the Deputy Minister as to the figures on certain contracts that had been let, and he said that he could not give me the information. Then following up further the rest of the items, I refer to the items under discussion last year, and as you will recall, Mr. Chairman, I had asked for the recall of the Committee; and then I arranged, on your suggestion, with the Honourable Member for Simcoe, East, that if the evidence were placed on my desk on a certain date we would forget about the recall of the Committee.

Under those circumstances, I would ask this Committee to let me have the privilege of looking into these accounts. I want to explain further, that there are only certain angles that I wish to investigate. I do not want to put the Department to the work that I did last year; but if the Committee gives me the right, there are only half a dozen or so items that I would like to be able to discuss or cross-examine the Deputy Minister upon.

HON. MR. FINLAYSON: Mr. Chairman, this motion shows how wise and proper your ruling was on the former motion. If we had started off by taking 1932 we would now have been committed to 1930, 1931, 1932 and 1933, and all the rest of the years. My honourable friend spent a great many hours of the Committee's time last year going into this particular job that he was interested in. I had the whole Highway Department supply him with information of all kinds; and the Minister took an interest in it and had him over there getting information.

MR. HIPEL: Just one day of conference.

HON. MR. FINLAYSON: But you had the whole Session to play with it, and you were taken over and given every information that the Department had. Now, if we are going back to 1930, where is the fishing expedition to end?

MR. HIPEL: Mr. Chairman, I do not intend to go back to 1930.

HON. MR. FINLAYSON: You are asking for 1930, pages 19 and 20.

MR. HIPEL: As I have explained, all that I want is certain information which I did not get last year, and all the time that was given to me to go over to the Department with the Deputy was from 10.00 o'clock in the morning until 7.00 o'clock that night; and all the time I had to go over the correspondence was from 10.00 to 12.00 o'clock in the morning.

The information which I want now is information which the Deputy Minister could not give me then.

If it is to be struck out, it only remains for me to go into the whole contract with the Bergman Company, which I do not think is necessary. But in order to get the information which I want in reference to the contracts at Breslau, it would be necessary for me to do that, to have it as a matter of comparison.

HON. MR. FINLAYSON: Surely in view of the ruling which the Honourable Chairman has given, my honourable friend is not going to try to take us back to 1930, 1931 and 1932; and it is particularly absurd because my honourable friend went into this at great length in the Committee last year; and not only that but he spent a whole day over in the Department. Surely a fishing expedition like this, when he had all the fishing last year, is absurd.

MR. HIPEL: Mr. Chairman, I do not agree with the Honourable Member.

MR. FINLAYSON: Of course you do not agree, but the facts are there.

MR. HIPEL: Oh, no. All the time I had last year to gather information from the Deputy was from 10.00 o'clock until 12.00 o'clock with the Deputy Minister, two hours. Then at 12.00 he turned over the correspondence to me, and I had that until 1.30. Then I was asked not to go back that afternoon because they wanted to prepare certain statements for me. So that all the time I had was from 10.00 to 12.00 o'clock. Then at 7.00 o'clock that night they turned over certain information to me. Then the following morning the Public Accounts Committee met. So that all the time I had with it was from 7.00 o'clock that night until 10.00 o'clock the next morning.

Then on the Monday before the House met I went to the Chairman and asked him to have the Public Accounts Committee recalled; and he said I was to go and see the Honourable the Minister (Mr. Finlayson), and I went to your desk and discussed it, and we agreed that if the information was given me on the floor of the House, I would not ask for the recall of the Committee. And therefore the evidence was not adduced.

I think it is only right that we should be given the privilege. Or I might suggest, Mr. Chairman, that if a small committee of three or four were to deal

with this matter, there are only one or two angles which were not answered last year by the Deputy Minister; and I would make the statement right now that they had the information, if they wanted to answer it.

If the Committee feels that they want to strike out everything except the 1933 items, we will have to abide by it; but I think it would be only fair that a small committee be appointed, and I am willing to submit to them just the two or three items on which I wish to cross-examine the Deputy Minister.

HON. MR. FINLAYSON: I do not want to repeat, Mr. Chairman, but this is particularly absurd. The Honourable Member went into all this matter last year, and the Deputy Minister came over here and was examined, and several other officers. Then the Honourable Member had the privilege of going to the Department, and he asked for the evidence and he was given the evidence.

MR. HIPEL: Pardon me, I was not given the evidence. I did not get the evidence until the day the House prorogued.

HON. MR. FINLAYSON: It had to be typewritten, and the moment it was typewritten it was handed to the Honourable Member, and he saw it. It was to meet his convenience.

My honourable friend had the whole of the last Session. He left this until the end of the Session. This matter was practically the only thing that was gone into. Then for his convenience the Public Works Department said, Come over to the Department and look at the books and the information on the files. Now he wants to go back three years. It is absurd.

MR. HIPEL: I beg to differ from the Honourable Member in some of his statements. While the Public Accounts Committee was named, on the floor of the House the Chairman was asked when it would be called; and it was not called.

HON. MR. FINLAYSON: The Committee was called as soon as you asked for it. This Committee has no jurisdiction to go into those items.

THE CHAIRMAN: Gentlemen, I do not think we are getting any place in this discussion. I have looked over the motion, and there is only one item which, in my opinion, comes within the jurisdiction of this Committee, and that is that part relating to the Public Accounts of 1933; and my ruling would be that the rest of the Resolution must be struck out. Does the Committee bear me out in that decision?

MR. IRELAND: Carried.

THE CHAIRMAN: Carried. Have you any other Resolutions?

HON. MR. NIXON: We are not being shut out from introducing further Resolutions the next day?

HON. MR. FINLAYSON: Oh, no. This is only as a matter of convenience. You have had a Department, and you know the difficulty of preparing. If there



is something else you want to know or inquire into, please let me know, so that we can prepare.

HON. MR. NIXON: Do not try and prove anything by me.

MR. MCQUIBBAN: In view of the fact that this is the first time I have had the privilege of leading my party in this House, I hoped my honourable friend might concede me the privilege of going into the 1932 items.

HON. MR. FINLAYSON: If I do that, it would be a reflection on your previous leader.

MR. MCQUIBBAN: I do not think he would object to that.

HON. MR. FINLAYSON: My attention has been drawn to the fact that you asked for Mr. Brown, Mr. Nixon. I think you know he has been seriously ill.

HON. MR. NIXON: No, I did not know that Mr. Brown had been ill. Mr. White or some other officer could produce the information.

THE CHAIRMAN: What about the next meeting?

HON. MR. FINLAYSON: Wednesday is the usual day for this Committee, and I think we had better make it 10.00 o'clock.

THE CHAIRMAN: Then the next meeting of the Committee will be at 10.00 o'clock on Wednesday next.

(Committee stands adjourned until Wednesday, March 14th, 1934, at 10.00 o'clock.)

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## SECOND SITTING

Wednesday, March 14th, 1934, 10 a.m.

MR. IRELAND: In the absence of Mr. Black, I move, seconded by Mr. Oliver, That Mr. W. A. Baird take the Chair. Carried.

(Mr. Baird taking the Chair.)

THE CHAIRMAN: I understand, gentlemen, that the first matter to be taken up this morning is the motion made by Mr. Hipel.

HON. MR. MACAULAY: I have asked Mr. R. M. Smith, the Deputy Minister, to bring all the documents relating to the Bergman Construction Company contract No. 32-48.

MR. HIPEL: About five minutes ago I was told that this matter would not come up this morning, but as the Chairman ruled the other day that this was the only matter which could be discussed, we had better take it up—but that does not prevent me from opening up the other matter.

R. M. SMITH, sworn. Examined by MR. HIPEL:

Q. Mr. Smith, you are Deputy Minister of Highways?

A. Yes.

Q. In the Public Accounts for 1932-33 at page L 18 there is an item, the Bergman Construction Company, Ltd., No. 32-48, concrete bases, Guelph-Waterloo Townships, Hespeler-Guelph project, \$40,440.40. In what year was that pavement laid?

A. The major portion of the work was done in 1932, but the payments ran into 1933. If the payments came in after the end of October, 1932, they would appear in the 1933 fiscal year.

Q. The pavement was laid in 1932?

A. There was a small piece in Hespeler that was finished in 1933.

Q. But that was in the corporation?

A. Yes.

Q. Have you the tender price, what that would have been per square yard?

A. Yes, 45 cents.

Q. Was that the lowest tender?

A. That was taking the entire contract. There were other prices that entered into contracts of this kind. While that was not the lowest price on that particular item, in the entire contract that was the lowest tender.

Q. On this particular contract you say that was the lowest tender, on the concrete?

A. Yes, in concrete.

Q. What was the next tender to it?

A. I beg your pardon.

Q. What was the next tender?

HON. MR. MACAULAY: Do you mean in the gross?

MR. HIPEL: The price per square yard. I asked the Deputy Minister what was the tender price per square yard, and he said 45 cents. Then I asked was that the lowest price.

WITNESS: Not the lowest price for that particular item. There was one

contract at a price of 40 cents, but there were other items, of course, that would affect that.

Q. Who was the contractor that had that 40-cent price?

A. The Sterling Construction Company, of Windsor.

Q. What was the difference between the two tenders? In your evidence you said there was a difference. What was the entire difference?

A. The total tender price Bergman submitted was \$45,348.

Q. And the other one?

A. The Sterling Construction Company's price was \$45,815.

Q. You say Bergman got \$45,348 gross?

A. Yes.

Q. How do you arrive at these figures, when one is forty-five and the other forty cents per square yard?

A. There was 17,000 cubic yards of earth. The Bergman price was 20 cents, the other company's price was 29.

Q. Bergman was what?

A. Twenty cents.

Q. And the other?

A. Twenty-nine cents.

Q. Who furnished the cement on this job?

A. We did.

Q. The Department?

A. Yes.

Q. From what point did the contractor start to haul the material?

A. He took it off the siding at Guelph.

Q. Who furnished the gravel on this particular job?

A. We did.

Q. The Department?

A. Yes.

Q. What about the sand?

A. It was all furnished. We had to supply the sand and gravel.

Q. What was the length of the dead haul of this material?

A. I would have to guess at it. I would say about a mile and a half from the point where the material was purchased to the start of the pavement. I am just guessing at it.

Q. It must be considerably more than that.

A. It was hauled from the Guelph Sand & Gravel property in Guelph, at the commencement of the job, just at the city limits.

Q. You cannot give us the length of the haul of the materials on this job?

A. Not actually.

Q. You had to provide the sand and gravel; where did you purchase it?

A. We got the sand from the Guelph Sand & Gravel Company.

Q. What did the gravel cost you per cubic yard?

A. It was bought by the ton.

Q. How much a ton?

A. Forty-seven cents.

Q. Isn't that rather unusual to buy it by the ton instead of on a cubic-yard basis?

A. It is always bought by the ton.

Q. That has not always been the practice?

A. It may not have been in the olden days, but all the gravel for this Department was bought by the ton.

HON. MR. MACAULAY: Q. For ten years?

A. Yes, sir.

HON. MR. NIXON: Do you make provision for the water content?

A. The stock piles are dried out at a certain time.



MR. HIPEL: Q. Is there any provision in excessive rainfalls for excess moisture?

A. The rain would have but little effect. This is the most satisfactory way.

Q. On an average price, what would the material cost you per cubic yard? You say you paid 47 cents per ton?

A. I can hardly say. It would run about 60 cents.

Q. I suppose the Department has a standard or average weight for gravel per cubic yard?

A. Yes. I would say it weights about 60.

Q. Sixty per cubic yard?

A. Yes.

Q. When you add the cost of the gravel and sand to the contract price of 45 cents per square yard, what would that mean on the contract?

A. Just about 11 cents additional.

Q. In other words, if the contractor paid for his own materials, the price per square yard would be 56 cents?

A. That is right.

Q. Forty-five plus 11?

A. Yes.

Q. How long was this job, the length of the pavement?

A. 6.62 miles.

Q. How many square yards were there in the whole job?

A. There was 79,000 in the tender. There might be a little variation, depending upon the curves. Curves are widened sometimes to 26 feet instead of 23 feet; 79,000 is pretty close to it.

Q. On this particular contract, where did the contractor get his supply of water?

A. I don't know the specific locality, I could not say.

Q. You have no idea how far they had to draw it?

A. No. I know they had to supply a sufficient quantity of water to do the job.

Q. You have no personal knowledge of that?

A. No.

Q. Who did the concreting on this job?

A. He did any concreting necessary in connection with his contract.

Q. What was he paid for it?

A. Twenty cents a yard.

Q. What was he paid for the earth shoulders, filling, and so on?

A. Twenty cents.

Q. The same price?

A. Yes.

Q. In your opinion and in your engineer's opinion was this particular paving job considered a well-finished job and a credit to the contractor?

A. Yes, sir.

Q. We believe that because he is a Waterloo County man.

A. A good contractor too.

HON. MR. MACAULAY: We agree on that?

MR. HIPEL: Absolutely.

Q. You said his price was 45 cents, and you added 11 cents for materials, which brings it up to 56 cents, that is including all sand, gravel and so on?

A. That is right.

Q. You also said that this was let by public tender?

A. Yes.

Q. Everyone had an opportunity?

A. Yes.

Q. In that same county, on another paving job the price you paid was \$1.59 per square yard, where no public tenders were called; is that correct—perhaps not the same year but the year before?

A. I cannot recall that. I do not know what you are referring to now. I thought we were just dealing with this contract.

Q. According to the evidence you gave before this Committee a year ago, your figures were on the pavement from Kitchener to Breslau, at \$1.59 per square yard; that is correct, is it not, according to your evidence?

A. I believe that was the figure.

Q. You are not positive?

A. I haven't the figures before me, but as I recall it that was the figure.

Q. On what basis was the contract let? I mean what price was paid, \$1.59 was your answer?

A. I believe that is correct.

HON. MR. MACAULAY: Q. How long was that job that Mr. Hipel has just asked you about, at the Breslau Bridge, was it a comparable job to this one?

A. No.

Q. What are the different factors as between it and this one?

A. It is a short job. I have forgotten the length of it, but no doubt Mr. Hipel has the length of it. That information was given last year.

Q. What is your recollection of the length, was it a mile long, or half a mile?

A. I think it was nearly three-quarters of a mile long.

MR. HIPEL: It was wider.

MR. MACAULAY: Q. While this job was  $6\frac{1}{2}$  miles long?

A. 6.62.

Q. What other different factors were there between this job and that?

A. There were high prices when they were working at it. It was nearly impossible to put a contractor in on it.

Q. Are there variations from year to year in the cost of laying pavements?

A. Yes. It has dropped now.

Q. How high did the cost of paving under the control of the Government go during the Drury regime, per square yard?

A. Three or four dollars. I cannot remember that.

Q. Four dollars a square yard?

A. Some of it was very high.

MR. HIPEL: Q. Mr. Smith, the Minister asked you a question as to a comparison of another job with this job. A year ago you made the statement before the Public Accounts Committee that the contractor there had special equipment brought up, and so on, and that was one of the reasons?

A. Yes.

Q. Were you aware at the time of the fact that the contractor had his equipment on the job once before he started the pavement?

A. Not paving equipment.

Q. And the same year you let a contract at \$1.59 per square yard there was a contract let between Hespeler and Galt, in the same riding—I forget the contractor's name, but you have a record of it—at 76 cents a yard, practically the same yardage, a little longer pavement but not as wide; why the difference between 76 and \$1.59?

A. In that particular case, of course, he had the material right on the job. I presume you are referring to the Jamison contract?

Q. I think perhaps that is the contract.

A. There was 2½ miles of it. I think that was the length of it.

Q. Approximately that.

A. The materials were secured right at the job, there was no hauling; as a matter of fact there was a pit right on that road.

Q. No, the pit was at least a mile from the start of the pavement, then the pavement from there on?

A. I do not recall that. I have not got the information at hand.

Q. On that particular job at 76 cents per yard the contractor had to purchase his own material?

A. I think he did supply his own material.

Q. Sand, gravel, water and everything at 76 cents a yard, and had to set up his own equipment for a job of two miles, and on the other job at \$1.59 the contractor had his equipment set up in your pit, in the Government pit, that is correct, is it not—there was a Government pit between Breslau and Guelph, and a complete plant and outfit?

A. I don't know of any plant we had between Breslau and Guelph.

Q. I did not mean your plant; the contractor had his plant set up in your pit, and was purchasing material from you?

A. Perhaps. I don't know that. As a matter of fact I did not realize that.



Q. So that in both contracts would not the contractor furnish his own gravel, sand and water?

A. He had a long haul, if he operated his pit between Breslau and Guelph. He had a long haul. The nearest pit we had is some distance from that particular contract. There is another man comes in there. That pit is by far the largest. He would have a great deal of waste. It was pretty well worked out by Bergman years prior to this job.

Q. That applies to both pits?

A. What pits do you mean?

Q. The pit on the other contract, between Hespeler and Galt.

A. There the contractor did not have to provide his materials. We supplied the materials on the Hespeler-Galt job.

Q. Under the contract for the Hespeler-Galt job?

A. I am subject to correction on that. I never saw it.

Q. The contractor had to set up his own equipment, supply his own haulage, his sand and water, and on the other job the contractor had already set up his equipment, had his paving outfit on the job, so that he was in a more favourable position even with less yardage than the other man was in, and at the same time one man got 76 cents by public tender and the other got \$1.59 for his job?

A. I am not clear about that yet.

Q. He actually had his equipment on the job months, almost a year, before the contract was given?

A. Would it make any difference when he took his equipment to the job?

Q. In your evidence a year ago you said that that was the reason for the high price.

A. He had still to move it there.

Q. He had his equipment there for the other work?

A. Not for the paving outfit.

Q. The fact remains that in one year under public tender pavement was laid for 76 cents, and in the other case where there was no public tender the pavement cost \$1.59, in the same year?

A. They did not lay the pavement in 1932. I am speaking of the Hespeler-Galt contract.

Q. According to your own evidence, by public tender he was paid 76 cents, and in the other case it was \$1.59.

A. The other job was done in 1931.

Q. The Breslau-Bridge contract and the Hespeler-Galt contract were both laid in the same year, at practically the same time and under similar conditions.

A. I thought you were referring to the Hespeler-Guelph contract.

Q. No. Both were laid in the same year, under similar conditions, and one got 76 cents under unfavourable conditions in comparison with the other. Give us the contractor on the Hespeler-Galt job.

A. The contractors on the Hespeler-Galt job were Holmes and Jamison.

Q. And the other was the Dufferin Paving Company, the one at Breslau?

A. Yes.

Q. I do not suppose you want to make a comparison of this one at 76 with other contracts let in the same year?

A. I cannot, offhand. That would be a matter of reviewing the contracts let that year.

HON. MR. MACAULAY: You asked us to bring down the papers in the Bergman contract, and that is what we have done.

MR. HIPEL: I am satisfied that under a public tender the contract price was 76 cents, and the other way the contract price was \$1.59.

MR. MACAULAY: We have the evidence given last year. The Deputy Minister gave several reasons: they were building a bridge, and a subway. There were a lot of considerations that entered into that Breslau Bridge job. If you want to compare the evidence to-day with that given last year, that is your privilege. They speak for themselves.

MR. HIPEL: Absolutely.

THE CHAIRMAN: Is there anything else, Mr. Hipel?

MR. HIPEL: Not unless you want to make a comparison.

WITNESS: It is obvious that I would have to move the Department over here to make a comparison with that year.

MR. HIPEL: No. You only had about a dozen contracts. I have a list of them here.

That is all I want, I think.

THE CHAIRMAN: Anything more, Mr. Macaulay?

HON. MR. MACAULAY: Nothing more, Mr. Chairman.

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### RE LIQUOR CONTROL BOARD

THE CHAIRMAN: The next matter to be taken up is a motion made by Dr. McQuibban in connection with the Public Accounts of 1933, page 11, the revenue statement, in the Department of the Attorney-General. Colonel Price is looking after this matter.

HON. MR. PRICE: I was going to say, Mr. Chairman, that in response to that motion Mr. McClenaghan is here; Mr. McGeachie, the Comptroller of the Liquor Board; Mr. White, the Deputy Provincial Treasurer, and Captain Orr, who is the Comptroller of Revenue, are present, and we will be glad to produce them as witnesses, if required, as well as any others.

MR. MCQUIBBAN: In regard to the motion before the Committee, Mr. Chairman, we asked for the production of certain documents, whose whereabouts we did not know, also for the appearance of Mr. McClenaghan, Mr. Orr and Mr. White before the Committee this morning. Possibly it will facilitate matters if I read a short statement which I have prepared:

At the organization meeting of this Committee held on the 9th of March last I moved, seconded by Mr. Munro, a certain Resolution necessarily broad in its terms.

By reference to the evidence it will be observed that the Hon. Mr. Finlayson raised certain questions as to the right of this Committee to inquire into the matters mentioned in paragraph No. 1 of the said Resolution, and the Chairman ruled, when the question was put, that the said paragraph No. 1 "would necessarily have to go out of the motion." We are, therefore, limited to inquiring into the matters mentioned in paragraph No. 2 of the said Resolution.

Now, Mr. Chairman, the word "Bankers" of the said Commission is general. Mr. Finlayson informed us at our last meeting that he did not have cognizance of these "Bankers" and I, of course, am much more ignorant of who they may be than he who has access to all the records.

It is not our purpose to embarrass the Commission or the Government unduly. From information that has come to us we require access to certain records which it is our right to inspect.

Within the wording and meaning of the motion, which is broad, the records, which are voluminous and would require much of the time of this Committee to investigate, the relevant and material documents and entries containing the information sought, can be more readily obtained by, and much time can be saved if, a sub-committee is appointed with power to

scrutinize all the documents mentioned in the motion as it now stands before this Committee.

Mr. McClenaghan, a Commissioner of the Liquor Control Board; Mr. W. A. Orr, Comptroller of Revenue, and Mr. J. P. White, Deputy Provincial Treasurer, are present, and perhaps they would be good enough to disclose to this Committee who are the "Bankers of the said Commission" and where the records thereof are kept, and if they cannot do so that they should be instructed to inform themselves and furnish that information to this Committee and Sub-committee forthwith.

I therefore move, seconded by Mr. Munro,

That a Sub-committee be appointed to inquire into and inspect the said records and report back to this Committee for its investigation.

HON. MR. PRICE: Mr. Chairman, these witnesses are here, and are ready and will be delighted to produce anything in their power. If my friend Mr. McQuibban is not ready to go on, we will be glad to produce any documents or papers he may wish. I understand from Hon. Mr. Finlayson that he does not know what the facts are, but the witnesses who are here will be able to give them, and we will subpoena anyone else to bring any documents and papers before the Committee which may be required. I do not think it is necessary to appoint a Sub-committee, because the matter can be dealt with here. There is nothing else for the Committee to go on with. I think we should put these witnesses in the box, and if there are any other witnesses Dr. McQuibban wants, we will be glad to get them here.

MR. MUNRO: The only difficulty is that we will have to ask about the records.

HON. MR. PRICE: The Comptroller will tell you. The Comptroller of the Liquor Board, Mr. McGeachie, is here, and will tell you where the money is deposited, in the several Banks. We do not want to hide anything. We will bring anything we have before the Committee. We had better start with the witnesses. We want to facilitate these matters. There is no use stringing the thing out.

STEWART McCLENAGHAN, sworn. Examined by MR. McQUIBBAN:

Q. Mr. McClenaghan, since the departure of Sir Henry Drayton, I presume you are the Chairman of the Commission?

A. Yes.

Q. In the motion before the Committee, in the accounts of 1933 have you a record of the payments made to the Provincial Treasurer from your Commission with you?

A. Yes.

Q. Who are entitled to sign cheques of the Commission?



A. The Chief Commissioner, the Deputy Chief, the General Manager, that is, cheques going to the Government; they are always signed by a Commissioner and probably the Comptroller or the General Manager. As to cheques going up to the Treasury Department, they are always signed by a Commissioner and probably a Comptroller and the General Manager.

Q. What was the total amount paid to the Government in 1933?

A. The total amount was \$6,000,000.

Q. This amount, Mr. McClenaghan, would not be paid over at one time, there would be different payments?

A. We would pay it monthly, starting with February, then March, May, July, August, September and October.

Q. The fiscal year ends at the same date as the Government's?

A. Yes.

Q. Do you do business with different Banks in the City of Toronto?

A. We do business with all the main Banks.

Q. How many Banks would that be?

A. Eight.

Q. Are there any of those Banks that receive more attention than others?

A. No. It is according to what Bank has the most branches. If a Bank has more branches that are closer to our stores, they get more business, because it is a matter of deposit and transfer to the head office.

Q. Do you include in that the Province of Ontario Savings Office?

A. We use that as a deposit for surplus.

Q. In this item of \$6,000,000 you say you started payments in February?

A. Yes.

Q. You made a payment on what date?

A. On February 1st, \$250,000.

Q. Of 1933?

A. Yes.

Q. \$250,000?

A. Yes. That is for profits, and then \$250,000 for permits.

Q. Five hundred thousand dollars on that date?

A. Yes.

Q. To whom was that made payable?

A. The Provincial Treasurer.

Q. And signed by yourself?

A. Yes. We have all the cheques here.

Q. That will be fine, if you will just table them. (Witness produces a number of cheques.)

MR. MUNRO: Q. You did not make any payments from the end of the fiscal year until February 1st?

A. No.

Q. When was the next payment?

A. March 1st, \$400,000.

Q. The first consists of three cheques, the first dated February 1st, drawn on the Dominion Bank, payable to the Honourable the Provincial Treasurer for \$85,000; the second, on the same date, drawn on the Imperial Bank of Canada, payable to the Honourable the Provincial Treasurer in the sum of \$80,000; the third is dated the same day, drawn upon the Bank of Montreal, payable to the Honourable the Provincial Treasurer for \$85,000, these three sums totalling \$250,000?

A. Yes. We draw on each Bank, where we have a surplus.

Q. Those were the only cheques I see here at the moment relating to the 1st of February. You mentioned another payment of \$250,000.

MR. McGEACHIE: Those were permit funds.

MR. MUNRO: Q. The other item of \$250,000 on the 1st of February relates to permit fees?

A. Yes.

Q. There are produced here, Mr. McClenaghan, several cheques, all bearing date the first day of February, the first drawn upon the Canadian Bank of Commerce payable to the Provincial Treasurer for \$90,000; the next is drawn upon the Bank of Toronto, payable to the Provincial Treasurer for \$50,000; the next is drawn on the Bank of Nova Scotia in favour of the Provincial Treasurer for

\$50,000; the next is drawn on the Royal Bank of Canada for \$60,000, these several items aggregating \$250,000?

A. Yes.

Q. Are these kept in separate accounts, profits and permit fees?

A. The permit fees belong to the Government.

Q. So do the profits?

A. But it is in the Act, that permit fees go direct to them.

Q. Do you maintain separate accounts?

A. Yes.

MR. MCQUIBBAN: Q. On March 1st there was \$400,000 profit?

A. Yes.

Q. Any permits?

A. One hundred thousand dollars.

MR. MUNRO: I will enumerate these cheques. We have them in the reverse order. The first three cheques read in were permit fees.

Q. On March 1st you told us how much was paid?

A. Four hundred thousand dollars profits and \$100,000 for permits.

Q. Those are represented by the following cheques, all dated March 1st and all payable to the Honourable the Provincial Treasurer, and drawn upon the Banks mentioned:

Canadian Bank of Commerce.....	\$20,000
Dominion Bank.....	\$75,000
Bank of Toronto.....	\$60,000
Bank of Nova Scotia.....	\$60,000
Imperial Bank of Canada.....	\$65,000
Bank of Montreal.....	\$60,000
The Royal Bank of Canada.....	\$60,000

These aggregate \$400,000?

A. Yes.

Q. You say you paid on the same date \$100,000 in connection with the remission of permit fees?

A. Yes.

Q. Represented by a cheque produced, dated March 1st, payable to the Honourable the Provincial Treasurer, drawn on the Canadian Bank of Commerce for \$100,000?

A. Yes.

Q. And the next payment was made when?

A. May 1st.

Q. What about April?

A. An April payment of \$400,000 of profits.

Q. You produce to me representing these profits certain other cheques all dated April 1st, payable to the Provincial Treasurer, enumerated as follows:

Canadian Bank of Commerce.....	\$100,000
Dominion Bank.....	\$45,000
The Bank of Toronto.....	\$35,000
The Bank of Nova Scotia.....	\$55,000
The Imperial Bank of Canada.....	\$50,000
The Bank of Montreal.....	\$35,000
The Royal Bank of Canada.....	\$50,000
The Province of Ontario Savings Office.....	\$30,000

Aggregating \$400,000?

A. Yes.

Q. No permits on that date?

A. No.

Q. What is the next?

A. May 1st, profits, \$475,000, and permits \$25,000.

Q. Representing profits, you produce before this Committee the following cheques, payable to the Provincial Treasurer, all dated May 1st:

Canadian Bank of Commerce.....	\$100,000
The Dominion Bank.....	\$75,000
The Bank of Toronto.....	\$60,000
The Bank of Nova Scotia.....	\$55,000
The Imperial Bank of Canada.....	\$75,000
The Bank of Montreal.....	\$50,000
The Royal Bank of Canada.....	\$60,000

Aggregating \$475,000.

That is correct?



A. Yes.

Q. You said you also paid some permit fees that day?

A. Yes, \$25,000.

Q. You produce a cheque of that date payable to the Provincial Treasurer, drawn on the Canadian Bank of Commerce for \$25,000?

A. Yes.

Q. What is the next?

A. The next is the 1st of June, \$500,000 for profits. Nothing paid for permit fees.

Q. On the first of June there are certain cheques produced, payable to the Provincial Treasurer, and enumerated as follows:

Canadian Bank of Commerce.....	\$125,000
The Dominion Bank.....	\$100,000
The Bank of Toronto.....	\$50,000
The Bank of Nova Scotia.....	\$50,000
Imperial Bank of Canada.....	\$60,000
The Bank of Montreal.....	\$60,000
The Royal Bank of Canada.....	\$55,000

When was the next payment?

A. The next was July 3rd, \$475,000 for profits.

Q. You produce certain cheques aggregating that amount, all bearing date July 3rd, payable to the Honourable the Provincial Treasurer, and enumerated as follows:

Canadian Bank of Commerce.....	\$75,000
The Dominion Bank.....	\$50,000
The Bank of Toronto.....	\$75,000
The Bank of Nova Scotia.....	\$75,000
Imperial Bank of Canada.....	\$75,000
Bank of Montreal.....	\$50,000
Royal Bank of Canada.....	\$75,000

Aggregating \$475,000.

A. Yes. Then we had paid on July 3rd to the Permit Account \$25,000.

Q. You produce in that connection a cheque bearing date July 3rd, drawn on the Canadian Bank of Commerce for \$25,000?

A. Yes. And on August 1st on profits \$475,000.

Q. You produce cheques here dated August 1st, all payable to the Honourable the Provincial Treasurer as follows:

Canadian Bank of Commerce.....	\$125,000
The Dominion Bank.....	\$75,000
The Bank of Toronto.....	\$55,000
The Bank of Nova Scotia.....	\$50,000
Imperial Bank of Canada.....	\$50,000
Bank of Montreal.....	\$60,000
The Royal Bank of Canada.....	\$60,000

Aggregating \$475,000?

A. Yes. Then \$25,000 of permit fees on August 1st.

Q. In connection with those permit fees you produce a cheque bearing date August 1st, payable to the Provincial Treasurer, as follows:

Canadian Bank of Commerce.....	\$25,000
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A. Yes. And on September 1st, profits \$475,000.

Q. In that connection you produce cheques dated September 1st, payable to the Provincial Treasurer, enumerated as follows:

The Canadian Bank of Commerce.....	\$75,000
The Dominion Bank.....	\$100,000
The Bank of Toronto.....	\$50,000
The Bank of Nova Scotia.....	\$50,000
Imperial Bank of Canada.....	\$75,000
Bank of Montreal.....	\$60,000
Royal Bank of Canada.....	\$65,000

Aggregating \$475,000?

A. Yes. And on September 1st for permit fees \$25,000.

Q. In that connection you produce a cheque dated September 1st, payable to the Provincial Treasurer, and drawn on the Canadian Bank of Commerce for \$25,000?

A. Yes.

Q. When was the next payment?

A. The next payment was made on October 2nd, \$475,000.

Q. Was that on account of profits?

A. Yes.

Q. You produce the following cheques bearing date October 2nd, payable to the Provincial Treasurer, enumerated as follows:

Canadian Bank of Commerce.....	\$100,000
Dominion Bank.....	\$100,000
The Bank of Toronto.....	\$50,000
Bank of Nova Scotia.....	\$75,000
Imperial Bank of Canada.....	\$50,000
Bank of Montreal.....	\$50,000
The Royal Bank of Canada.....	\$50,000

Aggregating \$475,000?

A. Yes. Then on October 2nd, permit fees, \$25,000.

Q. In this connection may I ask, your fiscal year ends on the 31st October, are these permit fees only for permits during 1933, that is, the fiscal year of 1933?

A. Yes.

Q. You mean people were buying those at that time?

A. That is right.

Q. Buying new permits?

A. We have to put the new permits on a month ahead or three weeks.

Q. I am talking about this \$25,000; were they new permits or permits for the fiscal year 1933?

HON. MR. PRICE: It is money paid in for permits.

MR. MUNRO: But paid in when?

WITNESS: Paid in prior to the time we sent the cheque up.

Q. All permits expire on the 31st of October?

A. Yes.

HON. MR. PRICE: Q. Were many permits purchased within the last few days?

A. We start selling them about a week ahead.

MR. MUNRO: Q. That means that you would have a good portion of the \$25,000 on hand but had not remitted it to the Province?

A. Yes.

Q. You produce a cheque dated October 2nd for \$25,000?

A. Yes. Then on October 31st we sent in \$1,525,000 of profits.

Q. You show here \$1,425,000.

A. There was another \$100,000 the same day. I just added the two together.

Q. What was that on account of?

A. Profits.

Q. I will enumerate these; these are two distinct items of profits, one of \$1,425,000, the other for \$100,000 on the 31st of October?

A. Yes, sir.

Q. These cheques are all dated the 31st of October, and are payable to the Provincial Treasurer, as follows:

Canadian Bank of Commerce.....	\$650,000
The Dominion Bank.....	\$150,000
Bank of Toronto.....	\$125,000
The Bank of Nova Scotia.....	\$75,000
Imperial Bank of Canada.....	\$120,000
The Bank of Montreal.....	\$125,000
The Royal Bank of Canada.....	\$130,000
The Province of Ontario Savings Office.....	\$50,000

And you have another bundle of cheques which you say represent profits and which aggregate \$100,000, all dated the 31st of October and made payable to the Provincial Treasurer, as follows:

The Dominion Bank.....	\$50,000
The Bank of Nova Scotia.....	\$25,000
The Imperial Bank of Canada.....	\$15,000
Bank of Montreal.....	\$10,000

And by reference to the endorsements on these cheques I see they are all similar. You have here one endorsement, "Ontario Provincial Police, October 31st, 1933, Accountant." Can you tell me what that means?

HON. MR. PRICE: Fines, likely.

MR. McGEACHIE: These are sent to Mr. Price's Department, and the Accountant in the Attorney-General's office receives them and indicates his possession of them. They are transferred to the Treasurer by putting the Provincial Police heading on them.

MR. MUNRO: They have only the custody of them?

MR. McGEACHIE: They are profits and permits.



MR. MCQUIBBAN: That comes under the permit fees on the 31st of October?

MR. McGEACHIE: Yes, the \$10,000.

MR. MUNRO: The last one I enumerated. There is one drawn on the Province of Ontario Savings Office for \$50,000, dated October 31st. There is this further endorsement, "Bank of Montreal, Grosvenor and Yonge Streets, October 31st, 1933, clearings, November 1st, 1933, Toronto, Ont., No protest." The other cheques were all apparently deposited for credit to the Provincial Treasurer on October 31st, the same day on which they were drawn.

HON. MR. PRICE: They are all deposited in the chartered Banks. They do not keep more than enough to carry on with.

MR. MUNRO: Q. The last bundle of cheques, consisting of four, which aggregate \$100,000, were apparently not deposited to the credit of the Provincial Treasurer until November 2nd, according to the endorsement they all bear; is that correct?

A. They would be sent up on the 31st.

MR. MCQUIBBAN: Would they be credited to the Budget that year?

A. Yes.

THE CHAIRMAN: Do you wish these cheques marked as Exhibits, Mr. Munro?

MR. MUNRO: Yes, Mr. Chairman. I thought they were being marked as Exhibits.

THE CHAIRMAN: When you are through with them, turn them over to the Secretary of the Committee.

WITNESS: There was \$10,000 on the 31st of October of permits.

MR. MUNRO: Q. You produce in that connection, bearing that date, a cheque drawn upon the Canadian Bank of Commerce, payable to the Provincial Treasurer in the sum of \$10,000, which was deposited to the credit of the Treasurer on the same date. All the permit cheques are drawn on the Canadian Bank of Commerce. Do you keep a separate account there?

MR. McGEACHIE: There is no significance in that.

MR. MUNRO: Does the aggregate of these permit cheques amounting to \$485,000 mean that that was all that was received that year for permits, in the fiscal year of the Province ending the 31st day of October, 1933?

MR. McGEACHIE: Yes; that was all that was paid.

MR. MUNRO: As you explained to me earlier, paid some time before it was remitted to the Treasurer?

MR. McGEACHIE: Yes.

HON. MR. NIXON: That was all that was paid to the Treasurer?

MR. McCLENAGHAN: There might be a few odd hundreds of dollars in our possession at the close of the fiscal year which would be paid over in the next year.

MR. McGEACHIE: We could not clear them all up.

MR. MUNRO: On the 31st of October, or in the interval between that and the 2nd of October do you understand that \$10,000 was paid on new permits?

MR. McGEACHIE: I do not understand the question.

MR. MUNRO: You have here two cheques, one dated October 2nd, 1933, the other October 31st, 1933, the first for \$25,000, the second for \$10,000; in that one month was \$10,000 paid for new permits for the year ending the 31st of October, 1933?

MR. McGEACHIE: Possibly.

MR. MUNRO: You mean you cannot answer the question?

MR. McGEACHIE: Certainly. The \$10,000 represented the revenue for permits sold during that year—if that answers your question.

MR. MUNRO: We may have to cross-examine Mr. McClenaghan again.

EXHIBIT No. 1: Bundle of cheques with documents attached.

JOHN T. WHITE, sworn. Examined by MR. MUNRO:

Q. Mr. White, you are Deputy Provincial Treasurer?

A. Yes.

Q. Can you tell me the aggregate amount received by you during the fiscal year ending the 31st of October, 1933, from the Liquor Control Board for permit fees?

A. \$485,000.

Q. And for profits?

A. \$5,450,000.

Q. Did you receive moneys from them for any other reason?

A. Confiscated liquor, \$65,000.

Q. That \$65,000 is shown where?

A. In Statement No. 4 of the Department of the Attorney-General, page 11 of the Accounts.

Q. I suppose that is the addition to the \$5,450,000, to make the bulk item; is that the explanation?

A. Yes, I think that is it.

Q. Have you the cheques—I suppose the Board have them in their custody, relating to that \$65,000 item, described as Fines?

A. I have the cheque here.

Q. May I see it, please. You produce a cheque—is this in the Board's records?

A. Yes.

Q. You as Deputy Provincial Treasurer received this, endorsed it and deposited it to the credit of the Province—if you can identify it?

A. Yes.

Q. Then I have a cheque which is part of Exhibit No. 1, all the rest having gone in as a bundle, dated October 31st, 1933, payable to the Treasurer for \$65,000, and deposited to the credit of the Treasurer on the same date?

A. Yes.

Q. Did the Province receive any other moneys from the Liquor Control Board during that year?

A. No, sir.

Q. Have you the balance sheet of the Liquor Control Board for the year ending the 31st of October, 1933?

A. Yes.

Q. May I see it?

A. Yes (producing document).

Q. This I believe is not yet printed.

HON. MR. PRICE: No; it has been filed in the House.

MR. MUNRO: Can you show me, Mr. White, where in this statement the \$65,000 is, the item represented by the last-mentioned cheque?

A. It would be included in some of the other items.

Q. Is your balance sheet analyzed in detail?

A. No, it does not appear to be analyzed in detail. There are carry-overs from year to year; for instance, on the \$485,000 received from permit fees there was a carry-over from the previous year of \$5,000 as shown. The actual permit fees received by the Board during the year was \$482,730, and they had on hand the balance of the permits from the previous year of \$5,000 which had not been forwarded to the Treasurer. With this aggregate in the Public Accounts, page 11, in the items of the Attorney-General's Department, \$485,000, the Board still had \$2,799 at the end of 1933.

Q. What did the Board show in their statement?

A. \$485,000.

Q. Exactly as you show as having been received for permit fees?

A. Correct.

Q. The next item paid the Treasurer as shown on that statement is what?

A. \$5,423,621.

Q. That is described as what?

A. That is described as paid to the Treasurer.

Q. Where is it credited in the Public Accounts of 1933?

A. This is not our statement.

Q. But where is it here?

A. There is another \$65,000.

Q. You cannot explain it?

A. I cannot explain their statements at all. That is their statement.

Q. You have received and have in this bulk amount of \$5,515,000 that \$65,000 cheque you produced to me; we did not find it at the moment.

A. I did not see it.

MR. MUNRO: We will have to ask Mr. McClenaghan about it. That is all, Mr. White, thank you.

STEWART MCCLENAGHAN, recalled. Examined by MR. MUNRO:

Q. Mr. McClenaghan, you listened to my last few questions to Mr. White dealing with that \$65,000 in your statement. I am asking for an explanation of it, and where it is in your statement.



A. It is a purchase from the Government of \$65,000. It is in our statement. During the year \$65,000 was paid the Treasurer for liquor which was purchased by the Board; after careful examination we buy it from the Government. All confiscated liquor belongs to the Government, and we have to buy it from them.

Q. But the fact is that you had purchased—

HON. MR. PRICE: It really should be in my Department.

MR. MUNRO: Q. Mr. McClenaghan, you mean that on the 31st of October when you issued that cheque you were buying \$65,000 worth of liquor?

A. We were paying for \$65,000 worth.

Q. You mean that that \$65,000 is buried in the purchase item? This is your balance sheet; if you can explain it to me, I will be glad.

A. Mr. McGeachie can tell you.

Q. He is not under oath. I thought he was passing the evidence along to you.

J. MCGEACHIE, sworn. Examined by MR. MUNRO:

MR. MCGEACHIE: There is no reference to the \$65,000 specifically in the balance sheet. It is elaborated in the Board's report to the Government.

MR. MUNRO: Q. Which has just been tabled?

A. It is in the course of being printed now. I have here a copy of it.

Q. Perhaps rather than taking time at this moment to read what we will get in the course of the next week or so, you will tell me whether that \$65,000 represents stock on hand, or purchased, and is included in the total of your purchases, just as you would purchase from any other vendor of liquor?

A. Absolutely, including the Profit and Loss Statement.

Q. Where is it?

A. Amongst the purchase of \$11,462,737.14.

Q. Have you the names of all those who sold the liquor and the amounts purchased from each during that period of time, aggregating that amount?

A. I have not got that here.

Q. That is what we would like to see. I think that is as far as we can go now.

HON. MR. PRICE: We will be glad to produce the documents.

Q. Any confiscated liquor that comes in I presume comes in under The Liquor Control Act, on the order of the Magistrate; it comes into the possession of the Board, the Board then has it examined, and it is sold in the ordinary way?

A. After a thorough test.

Q. The proceeds of that liquor amount to \$65,000, and it goes into the Treasury of the Province?

A. Certainly. That is provided for in The Liquor Control Act.

Q. According to the provisions of the Act?

A. Yes.

MR. MUNRO: Q. There is one further question. You say that that \$65,000 represents the purchase of confiscated liquor which you were purchasing from the Province; what is your answer to that?

A. I think I had better explain the method or the way in which this thing is dealt with. For instance, after a thorough test we might find 100 cases of liquor satisfactory for resale, either under its own label or bottled by us. It comes into our custody through the efforts of the Provincial Police, and the confiscatory order of the Magistrate. Presuming it is found in various parts of the Province, it is eventually shipped to our Wellington Street warehouse, where it is placed in the Confiscated Stock Room, and if after examination it is found to be good for sale by the Liquor Control Board, the liquor is purchased from the Board by the Provincial Treasurer.

HON. MR. PRICE: I think Mr. McGeachie is wrong in saying that it is purchased from the Board. It really is owned by the Province. Once it is confiscated it belongs to the Province. Anything that is found impure after analysis is destroyed.

MR. MUNRO: But as to the point I am concerned with, you are going to furnish the Committee the records, or access to the records. I want to know who the vendors of liquor were, whether it happened to be pure, or whatever it might have been, hard liquor, the names and the amounts purchased from each which aggregate your \$11,000,000.

HON. MR. PRICE: We will produce that for the past year.

MR. MCQUIBBAN: Q. Mr. McGeachie, have you in your possession at this time the balances as of October 31st, 1933, in the different Banks to the credit of the Liquor Control Board?

A. I have the accounts, the ledger sheets showing the balances on hand in each account on that date.

Q. Would you mind reading them.

A. In the Canadian Bank of Commerce there was an overdraft balance of

\$434,508.45. In the Dominion Bank there was a credit balance of \$5,343.33; in the Bank of Toronto there was a credit of \$1,524.33; in the Bank of Nova Scotia there was a credit balance of \$4,537.04; in the Imperial Bank of Canada, there was a credit balance of \$3,583.24; in the Bank of Montreal there was a credit balance of \$2,419.08; in the Royal Bank there was a credit balance of \$3,857.92, and in the Province of Ontario Savings there was a credit balance of \$2,915.38.

Q. You have an item, Less cash on hand and in transit and in Banks, \$158 and some cents?

A. Yes.

Q. This is from the balance sheet of 1933?

A. Yes.

Q. Would it be possible to give us the amount of money that was owing to the Banks at that time?

A. That was the total amount according to the books of the Board that was owing. In the case of the seven Banks, they owed us; in connection with the Bank of Commerce, we owed them. It was the other way.

Q. It was the other way round?

A. To make everything clear, I may say that the overdraft balance was in the Bank of Commerce, \$434,508.45.

HON. MR. PRICE: Q. Was there an overdraft to the extent of \$400,000, or was it a credit?

A. We owed them.

MR. MUNRO: Q. We understand you to put yourself on record now as saying that the overdraft, or the amount that the Board owed, was first of all to the Canadian Bank of Commerce, \$434,000?

A. And \$508.45.

Q. And it was not a credit to the Board?

A. True.

Q. And not as you mistakenly said?

A. Yes.

Q. And the items you spoke of as having had at the end of October, 1933, in the seven other Banks with which the Province deals are credits?

A. Yes, due the Board.

Q. Credits to the Board?

A. Yes.

Q. Moneys that are actually available?

A. Yes.

HON. MR. NIXON: Q. That included the Province of Ontario Savings Office?

A. Yes.

HON. MR. PRICE: He was right, in the first instance.

MR. MUNRO: Q. The total credits you had in the seven other Banks amounted roughly to \$20,000 or \$25,000?

A. Yes.

Q. As against an overdraft to the Canadian Bank of Commerce of \$434,508.45?

A. Right.

MR. MCQUIBBAN: Had you any other cash on hand to put against that item, in your vaults?

A. There were substantial items in the possession of the vendors for sales to October 31st, and cash in transit from the stores of the preceding day's sales, on its way to the Central Accounts in Toronto. There are 324 stores.

MR. MUNRO: Q. That is for the immediate preceding day; they remit each day?

A. That is true.

Q. Each day the Board knows the business of the preceding day?

A. Yes.

Q. Your balance sheet of 1933 shows the results of the business less the actual cash on hand and in transit and balances in other Banks of \$158,091.68, and you explain the difference between roughly the \$25,000 you have available in the seven Toronto Banks to your credit and the Canadian Bank of Commerce sum of \$434,508.45, and the amount in transit some place which was in the possession of the respective vendors and odd petty cash, funds in the hands of some of the officials.

A. Inspectors, and brewery warehouses.

MR. MCQUIBBAN: Q. What was the object in overdrafting yourselves to such an extent at the Bank of Commerce while you had balances in other Banks?



A. These are extremely low balances, in these other Banks. You understand, sir, that these transfers are coming in to the head office continuously, by reason of the fact that the greater number of stores deposit in their local branches. When it is transferred it might arrive in the morning, or it might arrive in the afternoon. It is extremely difficult to jibe them.

MR. MUNRO : Q. You do not know, and did not know on the 31st of October, or on the first day of November, when you gave this information to your auditors, how much was in transit, did you?

A. No. We did not know the sales of October 31st at noon, because the stores were open in some instances until 10 o'clock.

Q. When you paid the Province the amount of money you did on the 31st of October, including the large items you have enumerated, you were anticipating an amount from the outside; is that a fair statement?

MR. MCQUIBBAN: You paid more than you actually got?

A. Well, our profits were very closely approximated or estimated.

MR. MUNRO: Q. I put it to you, you know you had that overdraft of \$434,000 in the Canadian Bank of Commerce, and you knew you had to your credit in Toronto on the 31st of October in round figures \$25,000, and you issued cheques in anticipation of money which might come in to you from other sources?

A. We were not concerned about that feature of it.

Q. You issued on the 31st of October cheques aggregating \$1,525,000?

A. Yes, in order that the year's profits might be there.

Q. And you had an overdraft of \$434,000 odd?

A. Yes.

MR. MUNRO: I think this is all we can get to-day.

HON. MR. PRICE: Q. Mr. McGeachie, what was the balance of profits left in your hands at the beginning of the fiscal year 1933?

A. \$449,000.

Q. You had \$449,000 at the beginning of the fiscal year 1933?

A. Yes.

Q. Look at the 1932 statement, and you will see you had that balance.

A. True.

Q. How much was it?

A. \$449,000 odd.

Q. Which you had not paid to the Province from the preceding year?

A. Yes.

Q. Therefore you would be entitled to pay that to the Province in 1933, and in addition the 1933 profits, that is, the Province would be entitled to ask for that from you?

Q. Yes.

Q. Have you read over section 13 of The Liquor Control Act, which says that all these profits belong to the Province?

A. Yes.

Q. Have you read that?

A. Yes, sir.

Q. I will take the liberty of reading this section 13. It says that all property either real or personal, all moneys acquired, administered, possessed or received by the Board, and all profits earned in the administration of this Act shall be the property of the Crown as represented by the Province of Ontario, and all expenses, debts and liabilities incurred by the Board in connection with the administration of this Act shall be paid by the Board from the moneys received by the Board under such administration.

So that if you retained this \$400,000 odd, it was really the property of the Province?

A. Unquestionably.

Q. What amount of money have you got on hand now, or did you have on hand at the end of the 1933 fiscal year belonging to the Province?

A. The sum of \$422,000 odd.

Q. So that you have \$422,000 now that really belongs to the Province?

A. Yes.

Q. I suppose it is rather inconvenient to pay these sums over right up to the last cent, as Mr. Munro has pointed out?

A. Undoubtedly. If we were called upon at the conclusion of any fiscal year to pay over all our surplus as well as the current year's profits, we would have to get greater accommodation from the Banks.

Q. That is, it is an advantage to you to have some money on hand for purchases, to be used for purchases?

A. Yes, working capital.

Q. Has the Treasury been pressing you all the time for everything they are entitled to?

A. I think I can say yes to that.

Q. You still owe them about \$422,000?

A. Yes.

Q. It is an amount of money that is owed to the Province and that you have always in the Banks, or is it invested in some of your stock?

A. It might be in goods, real estate, odd items of cash, or accounts receivable.

Q. If the Province did not leave something there, you would have to borrow from the Province or from the Banks, I presume?

A. Yes.

Q. Like any ordinary business?

A. Absolutely.

Q. Mr. Munro has asked for a list of amounts purchased from various distilleries and breweries; how long will it take you to get that?

A. A week.

Q. Could you do any better than that? We want to close the Fouse by Easter.

How would that do, Mr. McQuibban? We will have another meeting. That is what you want?

MR. MCQUIBBAN: Yes. I have another couple of questions.

HON. MR. PRICE: Perhaps we can arrange a time we will adjourn to.

Q. Could you get it ready for Monday, do you think?

WITNESS: If it has to be ready for Monday, it will be ready.

HON. MR. PRICE: Suppose we adjourn for one week?

MR. MCQUIBBAN: Q. The item the Hon. Mr. Price has spoken about of \$449,338.38, shown in the balance sheet, 1932 statement of the Liquor Control Board, is that represented by cash or goods on hand?

A. Goods on hand.

Q. You could not very well pay it over to the Province, if it was goods, could you?

A. No. Hence the reason for the banking accommodation at the conclusion of last year.

Q. You have no item of cash on hand in your asset column?

A. No, sir.

HON. MR. PRICE: It might be in stock.

MR. MCQUIBBAN: Q. In reality you could not pay the \$449,000 over, because it was not cash, it was represented by bottles on your shelves?

HON. MR. PRICE: It was really belonging to the Province.

WITNESS: We had a certain amount of cash.

MR. MCQUIBBAN: There is an explanation in the 31 item, which says there is a surplus of \$3,000,000 odd, which was represented by \$2,500,000 in cash and the rest in surplus, and that was carried in the balance sheet as a surplus over liabilities. The point is that the Government has drained the last available dollar, and in addition to that there is quite a large overdraft in the Bank, which is placed against your inventory.

HON. MR. PRICE: You do not drain it if they owe you \$400,000 more. You would not want us to have so large a surplus. At the close of last fiscal year there was \$422,000 of a surplus created from the operations of preceding years, all due to the Government.

To what date will we adjourn, next Wednesday? I think Mr. Nixon has a couple of orders.

HON. MR. NIXON: There is one item with respect to Mr. Brown and another gentleman. Hon. Mr. Finlayson said that they would not be needed to-day.

I will move, seconded by Mr. Oliver,

That Mr. John T. White, Assistant Provincial Treasurer, be summoned to appear before this Committee and produce documents and give evidence relating to an item of restitution to H. L. Austin of \$18,515.00, page 19, Public Accounts, also page P 11, and F. N. Turnbull, additional services, \$2,000.

THE CHAIRMAN: The Committee stands adjourned until Wednesday next at 10 o'clock.



## THIRD SITTING

Wednesday, March 21st, 1934, 10.00 a.m.

Hon. Mr. Black in the Chair.

THE CHAIRMAN: The Secretary will call the roll, please.

(The roll was duly called by the Secretary.)

HON. MR. PRICE: I suggest you call Mr. McGeachie.

J. A. McGEACHIE, sworn.

MR. McQUIBBAN: Q. Mr. McGeachie, the Committee asked for certain documents, invoices, I believe, in regard to the purchases of the Liquor Control Board. Have you got them with you?

A. No, I have not, sir. I have them available, but there are thirty large filing cabinets involved in this thing, and I doubted whether you desired me to bring all this stuff here. I have them all ready to be placed in a truck, and they could be here in twenty minutes.

Q. Will one truck do it?

A. Yes, sir.

HON. MR. PRICE: He has it all listed.

MR. McQUIBBAN: A very long list, Mr. McGeachie.

HON. MR. PRICE: You had better give it to Mr. McQuibban, Mr. McGeachie.

MR. McQUIBBAN: I think this ought to go in.

HON. MR. PRICE: Put it in as an exhibit, and we will give you copies of it. That is a complete list.

EXHIBIT NO. 5: List produced by Mr. McGeachie.

MR. McQUIBBAN: There is a \$60,000 item tabulated here?

A. There is an item in here showing our purchases, from the Provincial Treasurer, for twelve months, amounting to \$52,000, the remainder being a balance due from the preceding year. I have not the details, I might say, here of the account, the stock items of the \$65,000.

HON. MR. PRICE: That covers the confiscated stock. We are prepared to file that.

MR. McQUIBBAN: Q. That would make about \$13,000 from 1932, is it?

A. Yes, sir.

HON. MR. PRICE: Of course there is always a balance going over. There is \$400,000 there now.

A. As a matter of fact we still owe the Provincial Treasurer at the conclusion of last year's business \$7,500.

MR. MCQUIBBAN: Is that on account of confiscated stock?

A. Absolutely.

EXHIBIT NO. 6: Another list produced by Mr. McGeachie.

Q. Have you the documents with you in detail showing this overdraft at the Bank, an amount I think of some \$150,000, at the conclusion of 1933, October 31st? If you recall, you mentioned that there was an overdraft in one Bank of some \$400,000 odd and some deposits to your credit in some other branches, about \$25,000, I think.

A. Yes, and in addition, sir, there was about \$250,000, as I stated, in the hands of our various stores at the close of business on October 31st; and also in transit to our Head Office accounts.

Q. When would that reach you?

A. Oh, within the next day or so. For instance, the sales of one store on October 30th might arrive in our Head Office account on November 1st; and a further distance store, it might be November 2nd. The business is functioning every day, people are buying, money is being taken in, managers are transferring and deposits are being made. In a business of this magnitude, it is quite substantial.

Q. Would it be possible to produce the documents or the ledger sheets of your deposits in these different branch Banks, to show the deposit of this money say within four or five days of November 1st?

A. Yes, I could produce any document you may want, if you will give me sufficient time. The pressure in the last week has been very heavy. Eighteen of our staff have worked every night and all day Sunday; and I left the office at twenty minutes to one last night.

Q. I think we ought to have the sheets out of the ledger for about October 29th, 30th and 31st, and as many days in November as you think would cover the actual deposits.

A. The transfers which were in the course of being transferred?

Q. Yes.

A. Yes, I could get those cash sheets for you.

MR. MCQUIBBAN: My object, of course, is to check up on this \$157,000.

HON. MR. PRICE: I am going to make a suggestion, Mr. McQuibban. How would it be if you or Mr. Munro would sit down with Mr. McGeachie and just look at that, and see if there is anything in it? We will admit anything that is in those.

MR. MCQUIBBAN: That would be quite satisfactory. We will be quite satisfied with that.

MR. MCGEACHIE: All our items, I might say, are very carefully audited previous to our financial statement.

MR. MCQUIBBAN: Would it be convenient if we called upon you to do that within the next day or two?

MR. MCGEACHIE: Yes, at any time.

MR. MCQUIBBAN: I think that is all now.

HON. MR. PRICE: Thank you, Mr. McGeachie.

(Stands.)

THE CHAIRMAN: Have you any other witness?

MR. MCQUIBBAN: No, that finishes with that part, to-day.

THE CHAIRMAN: I understand that completes for to-day this investigation. Are you ready to proceed with the other matter?

HON. MR. MACAULAY: Yes, Mr. Chairman, we are prepared to go on with the charge against Mr. Gunning.

Mr. Munro wants me to give evidence.

I might say that Mr. Munro delivered to Mr. Lewis, the Clerk of the House, late last night, a list of about twenty-five or thirty witnesses. We have had no time to get them here for this morning. I think we can have them here for the next meeting; but to-day I have requested Mr. Smith, the Deputy Minister; Mr. Brown, the Accountant; Mr. MacPherson, the District Engineer, and Mr. Gunning all to be present; so that we could spend several hours getting into the thing, Mr. Munro, and if you want me to give evidence, I am prepared to start.

MR. MUNRO: I might say, Mr. Chairman, to the Committee, that I had anticipated the difficulty that they would have in getting the witnesses. I had some little difficulty in getting the names, but they were supplied as soon as they were furnished to me.

I assumed a great deal of responsibility when I made the charge, and I have certain information here and am willing to go as far as we can with the witnesses this morning.

I might just put it this way, in opening. I did receive from the Clerk of the

House a letter dated March 17th, to which I replied on the very same day, the 20th. This was after the week-end.

I furnished him with a letter setting out certain witnesses whom I would like to summon; and on the 20th, at a later hour in the afternoon, I furnished him with a further list, approximating some thirty-odd witnesses.

So far as the Honourable the Minister of Highways is concerned, the only thing I wanted to ask him was this: I am producing here a letter dated December 6th, 1933, written by the Honourable the Premier to one Henry W. Walker, saying:

"In reply to your favour of the 4th instant let me say I will discuss the matter with Honourable Mr. Macaulay."

I would like the production of the letter of the 4th instant referred to. I have asked for the production of documents.

THE CHAIRMAN: Do you proposed to examine the Honourable the Minister now?

MR. MUNRO: The Honourable the Minister has said he is prepared to be examined, and I will be very short, as far as he is concerned, just to get the foundation.

HON. LEOPOLD MACAULAY, sworn:

MR. MUNRO: Perhaps we had better produce this letter and have it marked as Exhibit No. 1, and I am asking for the production of the letter of the 4th December, 1933, a letter written by one Henry M. Walker, apparently, to the Premier on the 4th day of December, 1933.

HON. MR. MACAULAY: I will take it off the file. A letter is produced here together with Mr. Henry's. I produce a letter from Mr. Walker to the Prime Minister, dated December 4th, 1933, to which is attached a copy of the reply from the Prime Minister to Mr. Walker, dated December 6th, 1933, to which is also attached a copy of my reply to Mr. Walker, dated December 15th, 1933, and a copy of the reply of the Prime Minister to Mr. Walker, dated December 16th, 1933.

Q. Might I see the original letter from Mr. Walker?

A. Will you leave them all attached?

Q. We may put them all in as one exhibit, and that will save me putting in the copies?

A. Yes.

Q. I am reading now from a letter dated Talbotville, December 4th, 1933, to the Honourable the Prime Minister of Ontario:



"Dear Mr. Henry:"

This is rather a lengthy letter, and written by Henry M. Walker, of Talbotville, Ontario:

"You, of course, have been informed by the Highways Department, of the defamation action brought by Highway Superintendent Gunning against myself.

"This case was not reached at the recent Assize Court at St. Thomas and I felt it very keenly at the time because it was evident to me that Gunning was very pleased over the delay—for obvious reasons.

"However, since then so much more evidence of irregularities under Gunning and others has come to my attention in a very tangible form, that I am more than pleased that the case was not reached, because if it had been reached, as I now see it, and did not see it then, I would have been placed in a very false light in the eyes of the public, because the only conclusion that the public could arrive at as a result of nature of my defence would be that I was desirous of bringing to the attention of the people of Western Ontario the fact that the Department of Highways knew for upwards of a year about the conditions that existed in so far as Gunning is concerned.

"On giving this matter very serious consideration I consulted Mr. Webster of St. Thomas, he being of our party, and we discussed the matter in every detail. Mr. Webster advised writing the Minister of Highways, which he did. There does not seem to be an answer forthcoming, which I regret very much.

"The point, as I see it, Gunning has involved numerous persons, including the Honourable Minister of Highways, in his evidence taken at the examination for discovery at St. Thomas; it is therefore obvious to all of us that if this case is allowed to go on the result will be disastrous to our party. It looks to me as if someone will undoubtedly prosecute Gunning and others, and then be in a position to say that the Department closed its eyes to this sort of thing knowing of it for a period of over a year, so therefore would it not be logical that the prosecution, and there certainly will be a prosecution, emanate from the Government or Department and in this way show and prove to the public of Western Ontario that the Department of Highways upon being informed of the existing conditions lost no time in taking action. I am prepared to submit all evidence in the matter (in person) on being advised by you."

Q. Did you receive that letter, Mr. Macaulay, from Mr. Webster?

A. No, he never wrote me. That will be mistake number one, and there are a lot more.

Q. (Reading.) "The records of the Highways Department will prove to the Government of Ontario that I have in no way slandered their employee, J. R. Gunning, Road Foreman on No. 3 and 4 Highways, London Division.

"You, the Honourable Prime Minister of Ontario, I feel assured will give this case of complicated irregularities by an employee of a Department your immediate attention.

"With kindest regards, I am,

"Very sincerely yours,

"Henry M. Walker,

"Talbotville, Ont."

Q. That letter, then, was referred to you, Mr. Macaulay?

A. Yes, sir.

Q. And you say you answered it. I did not have your answer in my possession.

A. It is a good answer, I think.

Q. It is here, and I will read that in the same way that I did the other one. This is a letter dated at Toronto, December 15th, 1933, addressed to Henry M. Walker, Esq., Talbotville, Ontario. It does not show the signature, but it is by the Minister of Highways.

A. You got Walker's letter to the Department, and why did he not give you my letter to him?

Q. I did not get it. We will try and find out about it in this Committee.

A. Walker knew all about it.

Q. (Reading.) "Dear Sir:

"The Prime Minister has referred to me your letter of December 4th. You state that you consulted Mr. Webster and Mr. Webster wrote me. I have looked up the files of the Department and cannot find any trace of any such correspondence, and I have no recollection of it.

"The first I knew about this case was when questions were asked on the floor of the House. Prior to that you had written the Department claiming that the pay-roll had been padded. The Department had an investigation and they were satisfied that there had been no fraud or dishonesty. Gunning had entered a truck as two teams, but the amount paid to him was the regular rate for truck hire. The irregularity was in using Fife's name. There was no improper or excessive amount paid."

Q. Was Fife at any time an employee of the Department?

A. Yes.

Q. Was he an employee during the period from 1929, that is the period that I have mentioned, at all—

A. Yes, he was an occasional labourer on the road.

Q. You say, "The irregularity was in using Fife's name." What was the irregularity?

A. Gunning should have put his own name down for the truck. We are calling the District Superintendent here who will explain the case in detail. It would be better for him to make the explanation than for me to do so. As I pointed out in my letter to Walker, Gunning was renting a truck to the Department at a rate fixed by the Department; but putting it in, he thought he could not rent it as a foreman to the Department, and he put it under this other man's name.

Q. Who happened to be Fife?

A. Yes, but the amount that was paid was the regular amount of truck rental.

Q. Was it shown as a truck?

A. No, it was put down as two teams.

Q. While in reality it was Gunning's truck?

A. Yes, because the day's hire for two teams was the equal of a truck, and there was no column in the pay book for a truck; and he put it down as two teams.

Q. Now I will continue reading this letter:

"You complain that you have in no way slandered Mr. Gunning. As Mr. Gunning thinks most positively that you have slandered him and has taken his case to the Courts, I cannot see why we should be asked to intervene. The case is now before the Courts and so far as we are concerned should take its course.

"This Department has not now and never has had anything to hide with relation to Gunning, Walker, Fife or anybody else, and no doubt the case will get a thorough airing in the evidence that comes up before the Court."

A. Don't you think that is a proper reply?

Q. When a case was pending, of course; but, as a matter of fact now it has been brought to a termination?

A. Yes.

Q. That will come out in further evidence?

A. I did not know the case had been settled when you got up in the House; I thought the case was still pending.

Q. You state here that you had made an investigation. Will you tell us what investigation you made?

A. Yes. I had better go back a little in order to get the beginning of it, so far as the Minister of Highways is concerned.

There was a question on the order paper in April, 1933, Question No. 130. Mr. Munro asked Question No. 130.

MR. MUNRO: I may say that that is quite true. The other night I mentioned that that question had been asked, and there might be some little differences, according to the question and the answer, but I thought that they were immaterial. If you want to speak of that, all right.

A. When that question was put on the order paper was the first I knew of the Gunning matter. I then asked the Deputy Minister for a report on the matter, and I found—which I have and am going to ask them to produce, and it will be filed; and I think Mr. Smith, the Deputy Minister in the Department, can prove all the documents better than I can; but I got a report on it.

Walker had written a letter charging Gunning with graft, on October 10th, 1932. Did Walker give you a copy of that letter?

MR. MUNRO: No, I have not that letter. I would like to have that in as an exhibit.

A. That was the basis for the libel and slander action at St. Thomas. I found then that a letter had come in from Walker to the Deputy Minister of Highways on October 10th, 1932, charging a foreman of ours with graft; and that this, without referring it to me, but as a routine matter, had been handed to the Provincial Police to investigate immediately on receipt of that letter; and the Provincial Police had reported that there was no graft, that there was no wrongdoing; and therefore the matter was dropped. The reports of the Provincial Police are here and are in order and will be filed by the Deputy Minister.

That was the first I knew about it, when you put this question on the order paper. These reports, therefore, which were on file were produced to me, and I discussed it with Mr. Henry, and I said that we had had a report from the Provincial Police, and they had reported that there was no dishonesty and no graft, and I showed him the copy of the letter which I was writing to Walker.

Q. And he, in turn, wrote in similar terms?

A. Yes. Will you read that?

Q. Yes. This is a copy of the letter written by the Honourable the Prime Minister, apparently, to Henry M. Walker, Esq., Talbotville, Ontario:

“Dear Sir:

“In further reply to your favour of the 4th instant let me say I have looked into the question you raise with the Highway Department. There is no trace of any correspondence to the Minister from Mr. Webster. The



Department had an investigation and were satisfied that there had been no fraud or dishonesty. Mr. Gunning apparently feels that you have slandered him and has taken his case to the Courts. In view of this I do not see how we could intervene. The matter will no doubt be thoroughly aired before the Courts and should take its course."

That constitutes practically the whole of Exhibit No. 1; and I would like to see the letter which you have now told me about.

A. I am going to put the whole file in by the Deputy Minister.

Q. I want to see just the one which formed the basis of the slander action.

A. Yes, that probably ought to be kept separately.

EXHIBIT No. 1: Copy of letter dated December 6th, 1933, from the Honourable the Premier; letter, December 4th, 1933, from Henry M. Walker to the Prime Minister; copy of letter from Minister of Highways dated December 15th, 1933; and copy of letter dated December 16th, 1933, from the Prime Minister to Walker.

Q. This, which will be Exhibit No. 2, is apparently an original letter of September 10th, 1932.

A. It is marked September 10th, but it is stamped "Received October 12th, 1932, Accountant, D.H.O.," so that he must have meant that date for October 10th.

Q. This reached you, I suppose.

A. No, it did not get to me. It was sent to the Deputy Minister.

Q. To your Department, anyway?

A. Yes.

Q. "Superintendent of Highways, Toronto.

"Dear Sir:

"On one of your divisions you have a Foreman which has been carrying on a graft of padding the pay sheets for a number of years. Is there any possible method you can use to bring this man to justice?

"I have put one of his accomplices on his oath, he swears he signed a great number of cheques, but did not get any of the money. For further information send your authorized agent to me.

"H. M. Walker,  
"Talbotville, Ont.

"P.S. Bring this letter."

Q. As a consequence of that, did any agent go to see Walker?

A. Yes, we sent the Accountant, Mr. Brown, and he got into touch with the Provincial Police at London, and the Inspector assigned one of his men to it, and they made a thorough investigation, and I will ask them to produce their reports when they are called upon.

Q. And those reports no doubt will disclose just what information Walker furnished, and whether the witnesses whom I have named here in my letter to the Clerk of the Assembly in response to his request, were interviewed?

A. Walker was not making any claim about this. All that Walker said was that Fife had received money that he was not entitled to. There was no name ever mentioned except Fife.

Q. But in that letter which has been marked Exhibit 2, received by you on October 12th, 1932, he does say, "For further information send your authorized agent to me."

A. Yes, and when they went there, all he brought up was the Fife matter.

Q. Did they only have one interview with him?

A. I do not know.

Q. I suppose we will get that from the further witnesses. And you have told me, then, that that Exhibit No. 2 was the basis of the action brought by Gunning against Walker?

A. I believe so.

EXHIBIT No. 2: Letter dated September 10th, 1932, received October 12th, 1932, from H. M. Walker to Superintendent of Highways, Toronto.

Q. How did Gunning come into possession of the information contained in that letter written to the Department of Public Highways by Walker?

A. When we sent the Provincial Police around to see Mr. Gunning, he naturally wanted to know what the police were in his place for, and we told him that there was a complaint that he was guilty of graft, and naturally he wanted to see that letter.

Q. You did not regard the information, then, as confidential and not to be published?

A. No, Walker did not object to it being published. He told everybody about it around the county.

MR. MUNRO: I think that is all, now, thank you, Mr. Macaulay.

HON. MR. MACAULAY: I just want to make it clear, Mr. Munro, that so far as the Minister of Highways is concerned, or the Prime Minister was concerned, we had nothing to hide, and we made the documents available to Foley and

Meyers, who acted for Mr. Walker; so that there was nothing covered up by the Department.

MR. MUNRO: The charge which I made—and I think it was understood fairly by the Attorney-General—as constituting certain irregularities, that is in the one instance, a dead man, and another instance people who were fictitious, and on another instance, people who had contributed no work appeared on the pay-roll in that Department under Gunning. I said that in all fairness if this had been known to the Attorney-General it would not have been continued.

HON. MR. MACAULAY: When you get the explanations of all the expenditures, I think you will be satisfied with them. So far as the Premier and I were concerned, we were relying upon the report of the Provincial Police which showed that there was no dishonesty, no graft and no wrong-doing.

Q. I have no doubt you were relying on those reports; and if the Honourable the Prime Minister cannot furnish me with any further information than I have received from you, that is that he relied upon the information which you furnished him, he can be relieved of any further appearances here. I am frank with you.

HON. MR. MACAULAY: Then, if you are through with me, I think the next step is to call the Deputy Minister, Mr. Smith.

MR. MUNRO: I think the most he can tell me will be to produce documents and tell me about the same.

A. Yes.

HON. MR. MACAULAY: May I start the examination, so that you may get on with the facts?

R. M. SMITH, sworn:

HON. MR. MACAULAY: Q. Mr. Smith, what is your position in the Department?

A. I am Deputy Minister.

Q. When were you appointed?

A. I think it was in about 1927.

Q. What is the first you knew about this Gunning case?

A. On October 12th, 1932.

Q. What happened then?

A. The letter, which was read a minute or two ago, was sent to the Superintendent of Highways; as a matter of fact, it went to Mr. Brown, first, and Mr. Brown brought it down that day to my office.

Q. Who is Mr. Brown?

A. He is the Accountant of our Department.

Q. Chief Accountant?

A. Yes.

Q. And the correspondence is distributed from his office, is it?

A. Not always, but anything relating to accounts.

Q. And this letter had gone to Mr. Brown and then was sent down to you?

A. Yes, Mr. Brown brought it to me (referring to Exhibit No. 2).

Q. What did you do as the result of receiving that letter?

A. I instructed Mr. Brown to go to London at once, and go to the office of the Ontario Provincial Police at London and make an arrangement with the London Police to provide a man to go out there, or if it could not be provided from London to have a man sent from St. Thomas. And Mr. Brown went to London, saw Mr. Gardner, I believe it was, at London—

Q. Who was he?

A. He is the District Officer of that area; he was an Inspector, I believe. I am not sure just what his office was, but he was the man in charge.

Q. Did he assign anybody to the case?

A. Yes, he gave Mr. Brown a letter. This can be filed and it will be confirmed by Mr. Brown.

Mr. Brown went down and saw Mr. Walker, and Mr. Walker made a statement as to the Fife matter. That will be confirmed by Mr. Brown as well; I am simply giving you this to give you the procedure and what happened.

Mr. Brown went down to St. Thomas and got in touch with the officer who had been detailed for this investigation.

Q. What is his name?

A. His name is Shervill.

Q. What did Shervill do?

A. Mr. Brown can give you more details on that, but briefly—

Q. Is this the report of D. C. Shervill, Constable No. 235, St. Thomas Detachment?



A. Yes, and that is his signature on there.

EXHIBIT No. 3: Copy of report dated October 19th, 1932, from D. C. Shervill to the District Inspector, O.P. Police, London.

Q. I will read this report signed by D. C. Shervill, the Constable, and by H. Gardner, District Inspector, London, dated October 20th, 1932:

"Investigation of Alleged Padding of Pay-rolls, Department of Highways, Talbotville, Ontario.

"The District Inspector,

"O.P. Police,

"London, Ontario.

"Sir,

"In reference to the above matter on the 18th inst. I patrolled to London, Ontario, on instructions received from my District Inspector and there met Mr. W. H. Brown and C. A. Saunders, Accountants of the Department of Highways, Toronto, Ontario. I was informed that both these gentlemen were investigating a case at Talbotville, Ontario, in regard to a man named W. Fife of Talbotville getting two cheques (one for \$37.95, dated April 22nd, 1930, and the other for \$44.00, dated May 6th, 1930) for work that he did not do. We went thoroughly into this case and I was instructed by my District Inspector to assist Mr. Brown and Saunders in their investigation.

"On the 19th inst. we interviewed W. Fife of Talbotville, Ontario.

"Mr. Fife stated in the spring of 1930 J. R. Gunning, who is the Foreman of the highways running through Talbotville, Ontario, came to his house and stated, 'that the Gunning name was appearing too often on the pay sheets which was not so good and would he allow him to put his name in on the pay sheet for work done so that it would look as if the work was split up a little.' Mr. Fife was not able to give the conversation word for word but gathered that there was nothing crooked in it as any work that he signed for would be actually done though he did not personally do it. He told Mr. Gunning that this would be all right as far as he was concerned.

"Some time in April, 1930, he received a cheque for \$37.95 from a man who brought it to him with Mr. Gunning. No questions were asked and no statement made and he endorsed the cheque and later the same day gave the cheque to Mr. Gunning. In May, 1930, he received another cheque for \$44.00 and he did the same with this, endorsed his name on the back and gave it to Mr. Gunning. From neither of these cheques did he receive any money whatever to quote his own words, 'If I had received half of the cheque I would be prepared to take my medicine but as far as I know the work was done.'

"Though Mr. J. R. Gunning received both these cheques his name did not appear on either as endorsee. We checked up at The Imperial Bank, West End Branch, St. Thomas, Ontario, and found that the cheque for \$44.00 was put through the Bank on May 13th, 1930, by Mr. Gunning. The

other cheque for \$37.95 was cashed by Mr. Gunning in the harness shop of F. W. Cotterill, St. Thomas, Ontario, on April 29th, 1930.

"We then interviewed J. R. Gunning at his residence, Talbotville, Ontario. Mr. Gunning quite freely admitted getting both cheques and cashing same. He stated that in April, 1930, he did not think that he was allowed to put in for work done by his team when his name appeared on the pay sheet as Foreman. He stated that he had purchased a truck for \$1,500.00 and this truck was being worked by himself or his son or somebody and that it was actually in use and done the work that was charged for and so that his own name would not appear on the pay sheet he asked Mr. Fife if he would mind him putting his name in the pay sheets and explained to Mr. Fife why. Mr. Fife agreed and he put his name on the sheet. Mr. Gunning stated that he had told a Mr. H. E. McPherson, Resident Engineer of London, Ontario, about what he had done and no objection was made.

"From investigation of this matter it would appear that Mr. Gunning, who is a very worthy citizen of the County of Elgin, Ontario, had no intention at the time of padding his pay sheet and that the work actually charged for was done. It was, of course, most irregular and to this Mr. Gunning agrees.

"Mr. Brown stated that he would take the matter up with his Chief at the Department of Highways before any further action was taken in the matter.

"Extra copy of this Crime Report attached herewith for the information of Mr. W. H. Brown, Department of Highways, Parliament Buildings, Toronto, Ontario."

You will notice that they did not investigate anything but the Fife cheques.

MR. MUNRO: I know that.

HON. MR. MACAULAY: This report signed by D. C. Shervill, and underneath is a certificate by H. Gardner, the District Inspector:

"For your information and in reply to a memorandum from the Assistant Commissioner under date of October 15th, I am retaining at this office the pay cheques in question, also the copies of the pay sheet which was left by Mr. Brown awaiting further instructions."

Q. Now, Mr. Smith, I have read the report of the Provincial Police investigating this complaint. What did you do as a result of this report?

A. I considered the matter closed. We had no knowledge then of any of the items which have been mentioned since.

EXHIBIT No. 3: Report signed by D. C. Shervill, dated October 19th, 1932, with memo attached dated October 20th, 1932, by H. Gardner.

Q. Then to get to the two Fife cheques which were in question. What was the Department's view as to the excuse for what was done by Gunning?

A. That goes back a bit to ancient history in the Department. Our Department is, taking the other Departments into consideration, a comparatively young Department, and we have improved as we went along. In the process of our work, in the early days, they were gravel roads, and then we carried on until such time as the gravel roads became shorter, and the mileage of pavement became longer.

We have, as a matter of policy in the Department, employed teams wherever we could. It was a matter of returning the money to a very considerable extent to the people who were paying a portion of the cost of the highway, I may say.

Q. That is, you preferred teams?

A. Yes, sir.

Q. Why?

A. Because they were local to the community, and we did not want to get a big fleet of trucks on the road. We ourselves did not want to buy the trucks, and we discouraged them so far as the Engineers were concerned, as much as possible.

MR. MUNRO: Q. Do you own any teams?

A. No, we do not own any teams. We own quite a number of trucks, now. At that time we owned very few trucks.

Eventually these patrols were lengthened; instead of being six or seven miles, as under the patrol men in the early days, they became ten, fifteen, and sometimes twenty-five miles long.

Q. How long did Gunning patrol?

A. I think about 25 miles long. That is very close.

Q. If there was a truck justified, it might be here?

A. Oh, yes. And this will apply, if you will make an examination of the records, that the Department did understand and know that frequently trucks were used; that we would permit two teams being placed in the pay-roll, in lieu of a one and a half ton truck.

Q. A one and a half ton truck, then do you tell me, was the equivalent of two teams?

A. Yes, it was considered the equivalent.

HON. MR. MACAULAY: Q. What were you paying at that time for a team?

A. \$5.50 per day.

MR. MUNRO: Q. What per hour?

A. Fifty-five cents, for one team and driver.

Q. Was the team or two teams equal to the time of Gunning's truck?

A. Yes, so far as that is concerned.

Q. You have reference to two cheques which so far the Department has discovered, one for \$37.95, and the other for \$44.00, which are entered for team time?

A. Yes, and that covered the truck for that period, at \$1.10 per hour.

Q. But you did not know at that time that it was a truck that was used?

A. No, but as a matter of fact it will be disclosed in the evidence that Mr. McPherson will give, that he knew of this matter in May, 1930, at the time. After the second cheque came in, Mr. McPherson had the matter brought to his attention by Mr. Gunning, as will be disclosed, and Mr. McPherson then discontinued the practice.

Q. That is, it was entered really subsequent to 1930 as a truck?

A. Prior to 1930 it was entered as teams; subsequent or following 1930 we paid them as a truck. Still it was not in the time book. It is only recently it has been in the time book.

Q. Following 1930, to put it in your own words—

A. May, 1930.

Q. When you discovered this irregularity, following this investigation and report, then you insisted that the handling of the truck be issued as a truck?

A. They were invoiced as that. They were not entered in the time book.

Q. When you speak about time book, you mean your pay sheet?

A. No, we have a time book.

Q. Let us see that?

MR. MACAULAY: Let us see the time book and the pay sheets, and then we will get at the bottom of it.

A. If you will permit, Mr. Brown can explain that to you.

MR. MUNRO: We may as well go on as far as we can with you, and then take Mr. Brown later.

HON. MR. MACAULAY: I think Mr. Smith could explain it.

A. This is the time book submitted to the Resident Engineer, a fore-



man's time book; and that is the type of time book that the foreman submits to the Engineer. He signs this, as you will note, on the inner side of the cover page, and it is endorsed by Mr. McPherson; and from this time book a pay sheet is made up like that, with all the names on it and the various times that the men are on the work.

MR. MUNRO: Q. Is that the same as this, or what?

A. Yes, it is the same.

HON. MR. MACAULAY: Are those ours?

MR. MUNRO: Yes, these are copies. He is producing a different document here.

HON. MR. MACAULAY: Q. This is a more recent one, is it not?

A. This is the old form which we used; and this is the form which was used at that time.

MR. MUNRO: Q. When did you start using this form which I am showing you now?

MR. BROWN: A. They are all old that we have here.

HON. MR. MACAULAY: Q. When did this later one start?

MR. BROWN: A. 1931.

MR. SMITH: This pay-roll started in 1931. This is where we had issued instructions to the effect—you asked me where this one came in.

MR. MUNRO: I do not want to take any advantage at all. Do not take that as being any indication of when it started.

HON. MR. MACAULAY: Is this the stuff which you were furnished in the House?

MR. MUNRO: Certainly. These are copies made, and Mr. Foley wrote you and thanked you for access to the documents in your Department.

HON. MR. MACAULAY: Mr. Smith points out that this was the form which was used subsequent to this case, because it has a note on it, "truck rental" which never was there before.

MR. MUNRO: I did not want him to be confused on that point.

MR. SMITH: As a matter of fact we have no more forms of this type—these are old sheets.

MR. MUNRO: Q. And you used the Foreman's time book and that sheet up until when?

A. It started in 1931.

Q. Can you tell me the date in 1931?

A. The 1st of February, 1931, I think; but prior to that, this other type of sheet.

Q. After the 1st of February, 1931, I understand, you used this type of sheet?

A. Yes, if the Foreman used or operated a truck, it would be shown on that sheet.

Q. Do you still use the Foreman's Pay Book?

A. Yes, just the same, but the new Pay Book was on the same basis as this, and it permitted a place for a truck.

Q. It provided for a truck?

A. Yes.

Q. I think Mr. Macaulay said those two could go in, as they contained the two cheques?

A. Yes, sir, and this is the pay sheet for it.

HON. MR. MACAULAY: Here is the cheque for \$44.00 that I put in, dated May 6th, 1930, to W. Fife, and marked Pay List 71917. Now let us see the pay list. That is one of the cheques which was questioned, is it, payable to Fife for \$44.00?

A. Yes, that is the cheque.

EXHIBIT No. 4: Cheque dated Toronto, May 6th, 1930, to W. Fife, for \$44.00, P.L. 71917.

Q. What is the pay list that this cheque for \$44.00 is based on?

A. It is shown on this corresponding pay list No. 71917, May 2nd, 1930, from 16th April, 1930, to 30th April, 1930, W. Fife, total number hours 80 at 55 cents per hour.

Q. Totalling \$44.00?

A. Yes.

EXHIBIT No. 5: Pay List No. 71917, dated May 2nd, 1930.

Q. Now, was there any defrauding of the Province in that \$44.00 as represented by this document, Exhibit No. 4—was the Province defrauded of a five-cent piece?

A. No, the truck was on the job.

Q. Explain to me why?

A. We will be able to produce plenty of proof.

Q. Tell us your story—what did the \$44.00 represent?

A. It represented, as a matter of fact, forty hours for a truck which belonged to Gunning.

Q. So that there was a truck used for forty hours on the highway?

A. Yes, sir.

Q. And that is what the cheque for \$44.00 was for?

A. That is what the cheque was for.

Q. But it was entered in the time sheet as a team?

A. Yes.

Q. Was there any defrauding of the Province by that?

A. No, sir.

MR. MUNRO: Q. But shown as being 80 hours, and signed by W. Fife, and a certificate, "I certify this statement to be true and correct, containing the amounts to be paid to the several parties named herein," signed by J. R. Gunning, Foreman; and a further certificate, "I certify this statement has been examined by me and that the men and teams shown hereon were employed on the work." With a place there for the Resident Engineer to sign. Does he not generally sign it?

A. He generally signs it. That you may be fully informed, these sheets are made in triplicate.

Q. Was there any pay sheet representing that work which the Resident Engineer did sign and submit to you?

A. Yes, we have it. That can be produced.

HON. MR. MACAULAY: That will be in the next stage. This is Exhibit 5.

Q. Then let us see the pay-roll on which these items were entered up, or the Time Book rather: 80 hours at 55 cents an hour. This is from the 16th April to the 30th April.

A. Here it is.

HON. MR. MACAULAY: There never was any concealment of the fact that Gunning had made a mistake in entering these up.

MR. MUNRO: Q. As a matter of fact, Mr. Smith has just told us that it was not until this report was made that you knew what was going on; so that there was concealment until you made this investigation.

MR. SMITH: No, I have told you that Mr. McPherson knew about this practice. We had taken action on this two and a half years before it was brought to our attention by Walker; and we have plenty of evidence to show that action was taken at that time. Instructions were made by the Department to stop it.

HON. MR. MACAULAY: Q. Gunning's Time Book from the 17th to the 30th April and that correspond with the pay list, and it has these names in it: J. R. Gunning, Foreman; H. Knight, Labourer; E. P. Boughner, Labourer; W. Fife, Teamster; J. Gunning, Teamster; H. Bredan, Labourer; and E. Boughner, Labourer.

A. Those are traffic observers.

Q. Then turning to the page marked Wilfrid Fife, that is marked for 80 hours at 55 cents, \$44.00—is that the item on which Fife was given a cheque for \$44.00?

Q. Yes.

Q. That was really Gunning's truck for a period of forty hours?

A. Yes, that is right.

EXHIBIT No. 6: Time Book, April 16th to 30th.

Q. Now let us have the next item. I produce a cheque dated April 22nd, 1930, to W. Fife, for \$37.95. Is that the other cheque which was investigated by the Provincial Police.?

A. Yes, that is the other cheque.

Q. Will you let me see the pay list covering that?

Q. W. Fife appears on this pay list for 69 hours at 45 cents an hour, a total of \$37.95?

A. That is correct.

EXHIBIT No. 7: Cheque dated April 22nd, 1930, to W. Fife for \$37.95, P.L. 71606.

EXHIBIT No. 8: Pay List No. 71606, dated April 16th, 1930, from 1st April to 15th April, 1930.



Q. That cheque and pay list are based upon an entry in Gunning's Time Book, 1st April to 15th April, 1930, produced by you?

A. Yes, sir.

Q. This Time Book shows the following people employed on his patrol: J. R. Gunning, Foreman; Harold Knight, Labourer; E. P. Boughner, Labourer; Will Auckland, Labourer; Elbern Gunning, Teamster; John Gunning, Teamster; Wilfrid Fife, Teamster. Now, is this page showing Wilfrid Fife, Teamster, 69 hours at 55 cents an hour, totalling \$37.95, the page showing the work for which the cheque of \$37.95 was issued?

A. Yes, sir.

Q. Instead of that being for two teams of Wilfrid Fife, what was it for?

A. It was for a truck belonging to Gunning.

Q. How many hours?

A. It would be  $34\frac{1}{2}$  hours.

Q. At how much an hour?

A. \$1.10 an hour.

Q. Was \$1.10 an hour the regular departmental rate for the rent of a truck of that size at that time?

A. That was figured as the fair rental.

Q. Then was the Department or the Government or the public defrauded of anything at all in the payment of that cheque for \$37.95?

A. No, sir.

EXHIBIT NO. 9: Time Book, April 1st to 15th, 1930.

MR. SMITH: I think before this goes in as an exhibit that this Pay Book should be explained.

Q. That is Exhibit No. 6. What do you want to say about it?

A. This Pay Book says on the front, Time, April 15th to April 30th. As a matter of fact we had a traffic census taken in that year, and it was taken in February; the original intention was to pay these traffic observers from the Head Office; but the Head Office told Mr. McPherson that he had better pay them through Mr. Gunning's Time Book; and as a consequence Boughner and Berdan—these two men went on as observers and he paid them through this Time Book, although they were actually employed February 1st, 2nd and 3rd as traffic observers on that road; and they received in each case \$10.50. So that this Time Book, while it does show April 15th to April 30th, does include those two

men who were actually employed in February, but they were not paid until paid through this Time Book.

MR. MUNRO: Q. How are they shown there?

A. As traffic observers.

Q. And that explains that?

A. Yes, sir.

MR. MCPHERSON: Might I explain that that was a winter traffic census and was made for the use of the Chief Engineer, and that is the reason they were paid through our office.

MR. MUNRO: This man is not under oath yet.

HON. MR. MACAULAY: When you are on the stand, Mr. McPherson, you may explain it.

MR. SMITH: I have already explained that.

HON. MR. MACAULAY: Q. I see another cheque here, which was not in question here, but is there any doubt about it? We will go into it, another cheque payable to W. Fife, dated January 20th, 1930, for \$6.05, Pay List 70234. What is that for?

A. That man was employed at that time.

Q. That is work which he actually did on the road?

A. Yes, they were sanding the road.

Q. And this is the Pay List on which that cheque is based?

A. Yes.

EXHIBIT No. 10: Cheque dated January 20th, 1930, to W. Fife, for \$6.05, P.L. 70234.

EXHIBIT No. 11: Pay List No. 70234, dated January 18th, 1930, from 1st to 15th January, 1930.

Q. You say, Mr. Smith, that this letter from Walker came in to you on October 12th, 1932, charging graft on the part of Gunning; then you had this report, Exhibit No. 3, from the Provincial Police; and as the result of that investigation and considering it fully in your Department, what was your view as to any fraud or graft on the part of Gunning?

A. I did not think there was any room for further action.

Q. Was there any graft or fraud on the part of Gunning, according to your view?

A. Not in my view, no.

Q. What did you see to criticize in it?

A. The irregular way in which he had put the return at that time through Fife.

HON. MR. MACAULAY: Will you stand up, Mr. Gunning?

MR. MUNRO: I do not want to hold you down. This man is going to give evidence.

HON. MR. MACAULAY: He is here, anyway.

Q. How long has Mr. Gunning been with the Department of Highways?

A. Since August, 1926.

Q. Since before you were Deputy Minister?

A. Yes.

Q. Have you ever found any crookedness or wrong-doing in his Division?

A. No, sir.

Q. Do you believe him to an honest man?

A. Yes, I do.

Q. What was the next step you took following this report of the Provincial Police? I would like to read it into the report. You produce to me a report from Mr. Gardner, the District Inspector of the Provincial Police at London, dated November 9th, 1932, addressed to the Assistant Commissioner, Provincial Police, Toronto, *re* "Alleged Irregularities, Highway Pay-rolls, Talbotville.

"Replying to your memorandum of the 8th instant, I beg to enclose, herewith, the cancelled cheques in question, also copies of pay sheets as instructed by you."

Then the next document relating to this report, a copy of a letter from Mr. Brown, Accountant, to Mr. A. Cuddy, Assistant Commissioner of Provincial Police, dated Toronto, November 7th, 1932:

MR. MUNRO: I will accept that as a copy.

HON. MR. MACAULAY: In which he says:

"Dear Sir:

"On October 18th the Accountant of this Department accompanied Constable Shervill of St. Thomas on an investigation into alleged irregularities concerning highway pay-rolls.

"The Constable promised that a copy of his report would be forwarded to the Department. Will you please be good enough to have this sent forward together with the cheques and time sheets which were retained by Mr. Shervill?"

In reply, there is a letter from Alfred Cuddy, Assistant Commissioner, Ontario Provincial Police, to R. M. Smith, Deputy Minister, Department of Highways, dated 8th November, 1932:

"Dear Sir:

*Re Alleged Irregularities, Highway Pay-rolls, Talbotville,  
Elgin County*

"Upon receipt of your letter this morning, I find that a copy of our Constable's report had not been sent you in the above-mentioned matter, but was on file in the Commissioner's office, which is now enclosed.

"I am communicating with our London office, requesting that the pay cheques and pay sheets be sent in, which will be turned over to your Department.

"Yours very truly."

Then a letter was sent by Mr. Smith, dated November 12th, 1932, to Alfred Cuddy, Assistant Commissioner, Ontario Provincial Police:

"Dear Sir:

"We beg to acknowledge your letter of November 8, together with copy of your Constable's report *re* alleged irregularities in highway pay-rolls, Talbotville, Elgin County.

"Yours very truly."

Then a departmental memo, on our files, from R. M. Smith, Deputy Minister, to Mr. Brown, Chief Accountant, dated November 12th, 1932:

"Memorandum for Mr. Brown:

"The attached report with reference to alleged irregularities in the highway pay-rolls at Talbotville, Elgin County, has been forwarded by the Ontario Provincial Police."

The attached report will be Exhibit No. 3.

What is the next document?



A. This is a letter which I have from Mr. Macpherson.

Q. Did you get a report from Mr. Macpherson, the Resident Engineer, who is here and will give evidence, dated November 16th, 1932:

“Memo to R. M. Smith, Esq.:

“Replying to your memo in connection with Foreman J. R. Gunning, would advise that I am quite convinced that the two cheques which were made out to Mr. Fife were to cover work done for the Department by Mr. Gunning’s truck.

“At this time, there was a ruling against showing ‘trucks’ on time books, or accounts, but in some cases where a long haul was necessary, it was almost impossible to get along without hiring a truck. In order to get the truck hire paid, it was necessary to show ‘team’ time on the time book instead of ‘truck’ time. This was done in several instances but it was always our intention that the truck owner’s name should appear and not anyone else. Mr. Gunning, who owned the truck in this case, did not wish his name to appear twice on his time book and apparently used Mr. Fife’s name, with Mr. Fife’s consent.

“As soon as I understood that Mr. Gunning was doing I had him discontinue the practice immediately and all further work by his truck was shown on monthly accounts.

“H. E. Macpherson,  
“Resident Engineer.”

MR. MUNRO: And that is the irregularity which you mentioned, and which the Honourable the Prime Minister mentioned in his letter?

HON. MR. MACAULAY: Quite so. That is, it was not shown on the time sheets but on a separate sheet showing so many hours for the truck.

That letter is dated November 16th, 1932, and would be received from Mr. Macpherson on the 17th November; and on the same day, the Deputy Minister, Mr. Smith, sent a memorandum to W. H. Brown, Chief Accountant:

“Memorandum to W. H. Brown, Esq.:

“Regarding the attached correspondence, this matter has been all cleared up.”

A. Yes, sir.

MR. MUNRO: These are all going in as one exhibit?

HON. MR. MACAULAY: Yes.

Then this is a copy of a letter from the Accountant to Mr. H. E. Macpherson, Resident Engineer, dated November 18th, 1932:

"Dear Sir:

"Herewith your copies of pay lists Nos. 71606 and 71971 received for the purpose of investigation. They are returned for your files."

That is the correspondence relating to this investigation and the departmental action in regard to it and I ask that they be marked as one exhibit.

EXHIBIT No. 12: Package of correspondence.

Q. Now, Mr. Smith, as to the irregularity of putting team time instead of truck time, what action did the Department take?

A. I brought this matter to your attention, I think it was around the end of February. I think we were discussing the thing in a casual way, and you asked me to get a further memorandum from Mr. Macpherson dealing in detail with the whole investigation.

Q. What did you do in respect of charging for a truck after that? What action did the Department take?

A. We made no change at all, because any irregularity in charging for a truck was taken care of in May, 1930. We made no change at all.

Q. When did you make the change?

A. In May, 1930, we instructed the engineers to return any time books, but any charge that would be made because of a truck being used by a Foreman, to return it as an invoice, noting the particular that the truck had been used and at the rate per hour which had been agreed upon, and at that time it was \$1.10 for a one and a half ton truck.

Q. So that no charge was made afterwards for teams instead of for a truck?

A. No, and that practice remained until February, 1931; as you know, by the time sheets we then entered the truck time on a pay sheet just as we did with the team.

Q. Then in May, 1930, they had to make out an invoice for it?

A. Yes, sir.

Q. But from February, 1931, you included it in a special place for a truck in the left-hand corner?

A. Yes.

MR. MUNRO: I might just point out here and I think it is the same in the other exhibits already filed, you describe J. R. Gunning, Foreman, so and so labourer, and so on, and so and so truck. There is no difference in the form used.

A. It was permissible at that time and that is the practice at the present time. It is shown as a truck now.

Q. There was no objection to having it shown as a truck at the time of the Fife cheques.

HON. MR. MACAULAY: What reason did Gunning have, if he was an honest man, for putting it in as a team and not as a truck?

MR. MUNRO: At the top it has "C.P." and that shows whether he was a foreman, a team or a truck.

A. At that time there was an agreement with the foreman that we would allow him \$1.10 an hour; it would be classified as two teams. That did not apply just then, but right back to 1920. Frequently we had occasions when we required to use a man's truck, and it was put in then as team time.

MR. MUNRO: The thing which puzzles me very much is why you could not show what transpired, and what you did hire which contributed to the labour.

A. That is true, and that is what follows that. For years back, if you go over the pay-rolls you will find that if we had occasion to use a man's truck it was invariably received as equal to the work of two teams; and it was equal to two teams.

HON. MR. MACAULAY: Was there a reason for that?

A. The Department was not in sympathy with the use of trucks at all, but were trying to force the Resident Engineers, where it could be done economically at all, to use teams. I admit engineers were continually pressing to be permitted to use trucks.

Q. And you were pressing them to use farmers' teams?

A. Yes, that the work would be done locally and the money would go back into the municipality where the work was being done. If it was to be done by trucks, it would take the money away from the locality.

MR. MUNRO: We know that for a truck they have to have a license, and you control that under The Motor Vehicles Act.

A. There was no Motor Vehicles Act then.

Q. Is your argument that you are not so insistent that teams be used?

A. Not now; conditions are entirely changed now. In those days it was a matter of a patrol man taking charge of six or seven miles, where a team could be used; but gradually that gravel road would be taken up by pavement, which we would complete from year to year, and the patrol men's distance became greater, with fewer patrol men.

We knew that the service was being rendered, and there was nothing wrong with it.

HON. MR. MACAULAY: Q. Now what is the next thing on your files relating to this matter?

A. A memorandum from Mr. Macpherson.

Q. Of what date?

A. March 1st, 1933.

Q. That is about the time the question was coming up in the Legislature?

A. Yes. I asked him to give me a full and complete detail.

EXHIBIT No. 13: Memo dated March 1st, 1933, from H. E. Macpherson, Resident Engineer, to Mr. Smith.

HON. MR. MACAULAY: I would like to read this report of Mr. Macpherson's, because the question not only was coming up in the Legislature but was becoming a public question in Talbotville, Elgin County. This is dated:

"119 King Street,  
"London, Ontario,  
"March 1st, 1933.

"Memo to Mr. A. A. Smith.

"With reference to the enclosed statement made by Mr. J. R. Gunning. Would advise that the facts are as stated by Mr. Gunning.

"The irregularity referred to occurred in the spring of 1930. The section of highway in charge of Mr. Gunning was too long to be patrolled by team and previous to buying a truck he had used his car on the road for patrol purposes. It became necessary to replace the car and Mr. Gunning spoke to me several times about the possibility of getting a Department truck. This was impossible as the Department at this time would not buy any more trucks. However, a truck appeared to be needed on his section as he was doing quite a lot of long hauling of gravel and other road materials and he suggested that he would buy a truck and use it on the road when necessary provided he could depend on the Department using it, and some satisfactory arrangement could be made with regard to rental.

"At this time there was a Department ruling against the hiring of trucks; but in some cases it could not be avoided on account of the long hauls and other circumstances which would have made it very inefficient to use teams. This ruling gave rise to a practice which I believe was fairly common; of showing team time in the time books instead of truck time; to cover truck rental when circumstances made it necessary to hire a truck. A ton and a half truck was considered to be able to do the work of at least two teams and therefore when one of these trucks was hired the owner was shown in the time book as supplying two teams for the hours the truck was in use, in order that he would get the money due him for truck rental.

"This was the arrangement made with Mr. Gunning, it being understood



that he could use the truck for work on which it was required, and that he could show two teams in his time book at fifty-five cents (55c.) per hour for the hours worked by the truck. This meant paying the truck at the rate of one dollar and ten cents (\$1.10) per hour which was a fair rental price at that time.

"We expected that he would show the teams under his own name but through some misunderstanding he thought that he could not do this, although at that time several of our Foremen had two or more teams on the road appearing under their own names and no objection was raised.

"Mr. Gunning had never had more than one team of his own on the road and he thought that his name could not appear on the time book as Foreman and teamster as well. This misunderstanding led him to put in the names of his two sons, each as a teamster, to cover the truck rental, and when one son went away he made an arrangement with a neighbour (Mr. Fife) to use his name as a teamster in connection with the truck rental.

"The truck was only used occasionally as needed and I did not understand that Mr. Gunning was doing this until Fife's name had been used in two different time books for small amounts and then Mr. Gunning became worried and explained the matter to me, what he had done. I checked over the time books immediately and my investigation satisfied me that nothing dishonest had occurred; that the truck had been used on the road the days the teams were shown and that the truck rental had not been paid to Gunning in any other way, therefore he received only what the Department owed him and nothing more.

"The matter was not reported at the time as there had been no dishonesty, but we immediately stopped the practice of showing truck time as team time on the time books; and all truck rental was made out on invoices and paid in that way until the Department ruling was changed and we were permitted to show trucks in time books.

"Mr. Gunning's truck was used on the road as required from the time he bought it in the fall of 1929. If necessary it can be proved that the truck was operated on the road the days and hours which Mr. Gunning showed in his time book as team time; also it can be proved that Mr. Gunning received no payment in any other way for the rental of the truck until May, 1930, when the truck time was first paid on invoices.

"It is most unfortunate that a serious mistake was made by Mr. Gunning in the method of collecting the truck rental previous to May, 1930, but there was no wish or intention on his part to defraud the Department and nothing dishonest occurred.

"H. E. Macpherson,  
"Resident Engineer."

Q. That is the complete report which was sent to you by Macpherson on March 1st, 1933?

A. Yes.

Q. What is the next record in the Department?

A. At the same time there was a question as to the time that Gunning had been off the work, and we made a record of that.

Q. A question came up as to whether Mr. Gunning had been working at all times in the Department, and this is a report from Mr. Brown, the Accountant, to Mr. H. E. Macpherson, the Resident Engineer, dated March 2nd, 1934:

"Dear Sir:

"With reference to your enquiry in connection with the time lost by Mr. J. R. Gunning, Talbotville, during the period 1926-1930, inclusive, I hereby certify that the time books forwarded from this man show the time when he was not employed as follows:

"Year	During the period:	Time off
"1926	October 1st-15th.....	2 days
	October 16th-31st.....	1 day
"1927	September 1st-15th.....	1 day
	October 1st-15th.....	1 day
"1928	April 16th-30th.....	1 day
	May 1st-15th.....	1 day
"1929	May 16th-31st.....	½ day
"1930	August 1st-15th.....	1 day."

So that, although he was Foreman, Mr. Smith, he would have to put in his time in the time book and sign up for his time, the same as one of his men?

A. Yes. At one time we were paying him by the month. Later on, we were paying him by the day.

Q. When were you paying him by the month?

A. I am not quite sure of that. Mr. Macpherson can give you that.

HON. MR. MACAULAY: When was that?

MR. MACPHERSON: Changes were made at various times. In the summer-time they were paid for eight hours a day by the month; in the winter months, for all the time they worked.

EXHIBIT No. 14: Letter dated March 2nd, 1934, from Mr. Brown to Mr. Macpherson.

MR. SMITH: I asked Mr. Brown to let me have a copy of the report, and this is it.

HON. MR. MACAULAY: On March 11th, 1933, there is a memorandum from Mr. Brown, the Accountant, to the Deputy Minister:

"Herewith copy of report made by Constable Shervill of the Ontario Provincial Police in connection with his investigation into the alleged padding of pay-rolls by J. H. Gunning."

MR. MUNRO: You have that in.

HON. MR. MACAULAY: That came up again; and I want this marked. That is a copy; this is the original.

EXHIBIT No. 15: Memorandum dated March 11th, 1933, from W. H. Brown, for Mr. R. M. Smith, with copy of report by D. C. Shervill, dated October 19th, 1932.

Q. What is the next document which you have?

A. The next was a request on the part of Mr. Macpherson for a copy of the letter submitted by Walker on October 12th, 1932. This was at the commencement of the libel action between Mr. Gunning and Mr. Walker. That is the next thing we have.

Q. The next development, then, in this case was that Walker was making certain statements about Gunning, and Gunning consulted a lawyer and started an action for libel. Is that it?

A. That is the story, yes.

Q. Then on June 14th, 1933, Macpherson sends a memo to Brown asking for a copy of that letter. Is that it?

A. Yes, sir.

HON. MR. MACAULAY: A letter dated London, June 14th, 1933, signed by H. E. Macpherson, Resident Engineer, to W. H. Brown:

"We are in receipt of copy of the letter forwarded to the Department by H. M. Walker of Talbotville, and we have discussed the contents of the letter with Mr. Gunning.

"He feels that it may be of some help to him and we have, therefore, allowed him to retain the copy for the present."

Attached to that is a copy of a letter from W. H. Brown, Accountant, dated June 12th, 1933, to Mr. H. E. Macpherson, Resident Engineer:

"Dear Sir:

"With reference to your 'phone call to the Deputy Minister this morning, I am attaching hereto, copy of a letter forwarded to this Department by Mr. H. M. Walker of Talbotville under date of September 10th, 1932. You will notice this letter does not mention Mr. Gunning or any other person by name and on the face of this it would not appear that the writing of the letter itself has created very much liability. This, however, is forwarded to you personally and we shall be glad to be advised of the disposal that is being made of it."

EXHIBIT No. 16: Copy of letter dated June 12th, 1933, from W. H. Brown

to H. E. Macpherson; and memorandum dated June 14th, 1933, from Macpherson to Brown.

Q. Now we have some correspondence from Mr. Foley. Mr. Foley was acting as liaison officer between Mr. Walker and the Department, and he was writing from time to time wanting information; and I will put in the correspondence between the Department and Mr. Foley.

MR. MUNRO: You have the originals of his letters?

MR. SMITH: This is the first letter.

HON MR. MACAULAY: This is dated July 28th, 1933, from Messrs. Foley and Myers, London, to the Deputy Minister of Highways.

Then a copy of a letter from the Secretary of the Department to Mr. V. T. Foley, of Foley and Myers, London. Has the Honourable Member (Mr. Munro) the originals of those?

MR. MUNRO: No, but I will undertake to get them. I did not expect we would get as far as we have this morning.

HON. MR. MACAULAY: That is dated Toronto, July 31st, 1933.

Then a memorandum from the Deputy Minister to Mr. Bayly, dated August 1st, 1933, asking him whether he should make available all this information.

A reply from Mr. Bayly to Mr. Smith, dated August 2nd, 1933.

Then a letter from the Deputy Minister to Messrs. Foley and Myers, dated August 8th, 1933.

A letter from Foley and Myers to the Department, dated September 14th, 1933.

A letter from Foley and Myers to the Minister of Highways, dated September 26th, 1933.

Then a copy of a letter from the Secretary of the Department to Foley and Myers, dated September 27th, 1933.

A letter from Foley and Myers to the Minister of Highways, dated October 2nd, 1933.

A copy of a letter from the Deputy Minister to Foley and Myers, dated October 2nd, 1933.

A letter from Foley and Myers to the Deputy Minister dated October 3rd, 1933.

A telegram from Foley and Myers to R. M. Smith, dated October 6th, 1933.



Then a final letter from Foley and Myers to the Department of Public Highways, dated October 28th, 1933.

May we have these all marked as one exhibit?

EXHIBIT No. 17: Bundle of correspondence between Foley and Myers and the Department of Highways.

HON. MR. MACAULAY: Before filing this, I would like to draw your attention to the fact that Foley and Myers, while acting for Walker, were really building up this case which Mr. Munro has mentioned, because *The Globe* says it had been carefully collected and guarded.

MR. MUNRO: They happened to be the solicitors on the Court records for the defendant, Walker, as a fact. And that is the reason that the Department furnished them this information of which you are speaking now?

MR. SMITH: That is correct.

HON. MR. MACAULAY: Mr. Foley says, on October 28th, 1933:

"We want to at this time express our very great appreciation to yourself, Mr. Brown and Mr. Smith, for the very great courtesy that you have extended to us in this matter."

Then they go on with a long list of other things they would like, and which we furnished them?

A. That is right.

Q. Now, what had happened in the meantime, on your files?

A. The next matter that came up has no doubt a bearing on the claim of Walker that Mr. Webster wrote to the Hon. Mr. Henry or the Minister of Highways—

MR. MUNRO: Q. Who is Webster?

A. I do not know enough about him to say, only that he is a gentleman living in St. Thomas. You made the statement that Walker had Webster write a letter to the Prime Minister or Mr. Macaulay. That is all I know about him.

MR. MUNRO: I did not make any statement, but I read from a letter written by Walker, in which he said that Webster had written the Department; and you have told me that you did not have that letter.

A. This may possibly explain that confusion.

HON. MR. MACAULAY: This is a copy of a letter from the Deputy Minister to J. T. Webster, 326 Talbot Street, St. Thomas, dated Toronto, January 11th, 1934. Will you read the letter?

A. To explain this, Mr. Raven came in the office and brought in a letter which Mr. Walker had sent to Mr. Webster.

MR. MUNRO: Have we that letter?

A. You may have it; I do not know.

Q. Mr. Raven is the representative in the local Legislature from one of the Elgins?

A. Yes, he is from one of the Elgins.

Q. And he brought in a letter? I have not got that letter.

HON. MR. MACAULAY: It has nothing to do with this.

A. I am giving the information because it possibly explains how the confusion arose. Mr. Raven brought in this letter to me, and it was left on my desk, and the next day I sent it back to Mr. Webster, and I wrote a letter, a copy of which is here, in which I say, under date January 11th, 1934:

"Toronto, January 11th, 1934.

"J. T. Webster, Esq.,  
"c/o Ontario Motor League,  
"326 Talbot Street,  
"St. Thomas, Ontario.

"Dear Sir:

"Mr. Raven was in the office a day or so ago and left with me a letter which had been written to you by Mr. Henry Walker of Talbotville with reference to the case of a patrolman by the name of Gunning, employed by this Department.

"The Department has purposely kept out of this action because of the fact that we felt any action Gunning has taken is a personal one and it would not be fair to Gunning or any other interested party to undertake to tell the conflicting parties what they should do.

"I am not very clear why Mr. Walker has written to yourself, to the Prime Minister and others with a view to having this case dismissed. If, as he intimates, the case against Gunning is as bad as he makes it appear, he (that is Walker) has nothing to worry about.

"A copy of a letter written by Mr. Macaulay to Mr. Walker recently, with reference to this situation, is enclosed for your information. I am also returning to you Mr. Walker's letter.

"Yours very truly,

"Deputy Minister."

That is no doubt where the confusion arose.

Neither Mr. Macaulay nor Mr. Henry ever saw the letter brought in by Mr. Webster. That may explain that confusion.

EXHIBIT No. 19: Copy of letter from the Deputy Minister, dated January 11th, 1934, to J. T. Webster.

Q. Is that the last document on the file of the Department?

A. I do not know whether this is part of it or not. This is a statement from Gunning, prepared in the office of the solicitors.

HON. MR. MACAULAY: Gunning can make his own statement.

A. That is all I have.

Q. What was the first you knew about the settlement of the libel action between Gunning and Walker?

A. Just last Friday, when it occurred in the House. I thought this case was still going ahead. I was hoping it would.

Q. So that it would give an airing to these charges?

A. That is right; I hoped it would.

Q. Now, as a result of the further charges that Mr. Munro now makes, we have the two Fife cheques, which were all we knew of before. As a result of these charges, when he claims that dead men were receiving money that they were not entitled to.

MR. MUNRO: I said a dead man and some fictitious people.

HON. MR. MACAULAY: That a dead man and some fictitious people were getting money to which they were not entitled, you have looked over all the accounts, and what do you say as to any other payments which Mr. Munro had in mind at that time? First of all, have you found, as a result of your investigation, or Brown or anyone else who has investigated, have you found any fraud or dishonesty?

A. No.

Q. Have you been able to find any dead man who has been paid money?

A. No, not yet.

Q. Have you found any fictitious man who got money to which he was not entitled?

A. No.

MR. MUNRO: Q. Have you found any existing person got money who had contributed no work?

A. Yes.

HON. MR. MACAULAY: Let us take up the case of the Talbotville United Church, as this is going to be the classic case in this cause *celebre*.

Brown is the man whose affidavit is printed in *The Globe*. What have you discovered, as the result of investigating the Brown case?

First, let me read the affidavit of Brown, as printed in *The Globe* of Friday, March 16th, 1934.

MR. MUNRO: I know of no affidavit by any man by the name of Brown. Are you sure that is not Walker's declaration?

HON. MR. MACAULAY: No.

MR. MUNRO: We will find out the facts when we get into it.

HON. MR. MACAULAY: Here is what *The Globe* says on page 2, March 16th, 1934:

"The following is a declaration of John Brown, Talbotville, in the County of Elgin, retired farmer, sworn at London, Ontario, January 25, 1934, before R. J. Myers, Commissioner for Oaths:"

MR. MUNRO: Right there, I might clear the whole atmosphere by telling you that that is a mistake. The excerpts there you will find are from a declaration, not an affidavit, made by Henry Walker in Talbotville, in Elgin County, sworn before Mr. Myers. Here is the original. I think this is the only one which has had any publicity at all, any place.

HON. MR. MACAULAY: Do you mean to say that this is a false statement in *The Globe*, that there was a declaration of John Brown in existence?

MR. MUNRO: I think you can check it.

HON. MR. MACAULAY: I will read this, and you can check it and see if it is the same:

"I am a resident of the Hamlet of Talbotville, having resided therein for about fourteen years, having previously been a farmer in the County of Elgin."

Is there anything like that there?

MR. MUNRO: It says he is a resident of Talbotville; it does not say Elgin.

HON. MR. MACAULAY: "I am a resident of the Hamlet of Talbotville, having resided therein for about fourteen years, having previously been a farmer in the County of Elgin."



"I have had an opportunity of examining pay sheet No. 65,655, dated April 2nd, 1929, and covering the period between March 16th, 1929, and March 31st, 1929, and on said pay sheet I find my name appears as a teamster and as having worked ten (10) hours as such on March 2, 1929, earning therefor the sum of five dollars (\$5)."

Do you say that is a mistake?

MR. MUNRO: Apparently that is on the sheet. I have never seen that declaration yet.

HON. MR. MACAULAY: Have they never furnished you with this?

MR. MUNRO: Never mind. I have enough here to see me through this.

HON. MR. MACAULAY: "I have had an opportunity of examining pay sheet No. 69,468, covering the period between November 16, 1929, and November 30, 1929, and I find my name appears thereon as having worked ten (10) hours as a teamster on the first day of November, 1929, earning therefor the sum of \$5.50.

"I have had an opportunity of examining pay sheet No. 71,409, covering the period between March 15, 1930, and March 31, 1930, and I find my name appears thereon as having worked ten (10) hours on the 31st day of March, 1930, earning therefor the sum of \$5.50.

"I never at any time during my life ever worked on this provincial highway under James R. Gunning or any other person while he was foreman." . . .

Now, tell me what you discovered about this Brown case, because that is symptomatic?

A. The first mention he makes is of pay sheet 65,655—

Q. First of all, who is Brown? He is Secretary-Treasurer of the United Church at Talbotville, is he not?

A. He was at that time.

Q. And any money he got from the Department was for rent of the church shed?

A. It was, yes.

Q. Let me see the cheques for rent of the church shed.

A. These are cheques for rent of the church shed to Brown.

Q. How were they entered?

A. They were entered as a team, in each case.

Q. For Brown?

A. Yes.

MR. MUNRO: Are these going in as one exhibit?

HON. MR. MACAULAY: Yes, Brown is the man whom you are going to subpoena.

EXHIBIT No. 19: Cheque, December 3, 1929, to J. Brown, \$5.50; P.L. 69468, showing 10 hrs. at 55c, \$5.50.

MR. MUNRO: I have asked you to subpoena him.

HON. MR. MACAULAY: These men, Gunning and Brown, were both trustees of the United Church at Talbotville, and Brown knew well enough what it was for. And he is a Christian.

MR. MUNRO: You will have an opportunity of asking him whether he perjured himself or not.

MR. SMITH: The first instance mentioned by Brown, he is not on the pay-roll at all.

HON. MR. MACAULAY: While you are examining that, I will produce a book called Rawlins' Record of Weekly Offerings. This is what they enter the current revenues of the church at Talbotville in. Have you examined this, Mr. Smith?

A. Yes.

MR. MUNRO: Ought not that to be produced by some person who made the entries in it?

HON. MR. MACAULAY: Brown made the entries and he will be here himself.

MR. MUNRO: I do not know anything about it, nor who is the person who should speak of it.

HON. MR. MACAULAY: Q. Having looked through this alleged church record of receipts and disbursements, do you find these cheques properly entered as receipts?

A. They are entered, corresponding to the amounts.

Q. They were entered in the time books under Brown as teamster?

A. Yes.

Q. Why would he do that?

A. This has happened often; this is not the first time. As a matter of fact—

MR. MUNRO: Of course, we are dealing with this time.

A. He was a member of the church there, and on the Board was Mr. Brown, and they had an agreement that they would pay the church one dollar a month for the rental of the sheds which were used for storing of sand and calcium chloride; and we had some cement and other things; and in the summer time we had it piled there with snow-fence. We allowed them a dollar a month. That was a simple way of taking care of the account. If you go back you will find that small accounts like this are paid on the time sheet.

There was no intent on the part of the Foreman to defraud. ~ In the Department itself, as I mentioned when I first started to speak, we were a new Department, a young Department, and there was a slowness in getting accounts through. The ordinary farmer had little or no knowledge of how to put an account in; he did not know he had to make it out in triplicate. He did not understand that he had to make it in ink, or that he had to have his account itemized, and he did not know that he had to have his establishment all on the paper. Because of that there would be a delay of sometimes a month or two months, and even longer, before they would get their accounts adjusted and paid.

They would come in, possibly a dozen accounts on one voucher, and one of the accounts in that particular voucher might be just a little out of order; that is, it was not in ink, or something else was out of order, and as a consequence the voucher would be held up and the account sent back, and there would be a definite delay.

The Foreman was living with these people as next-door neighbours, and he felt that this was the simplest way of taking care of it. Every six months he put this man, Brown, who was Treasurer, through at \$5.50, which was the approximate amount owed the church; and Brown accepted it. Brown got the cheques and they were turned in and recorded in the church accounts. That is far as I can tell.

HON. MR. MACAULAY: That disposes of the famous point exploited by *The Globe* and the declaration of Brown of Talbotville. Now what about the fictitious man?

MR. MUNRO: You have not a declaration from him, have you?

HON. MR. MACAULAY: What have you been able to find out about the dead man?

A. I have not been able to find out anything about it. About the only way I could explain that is this: We would frequently haul sand from a sand pit, or materials from a gravel pit, and we might have an agreement with the man whereby he would do certain work. For instance, in one case, we had a man who was there looking after the detour, and he supplied the lanterns, and so on; and the time that he put in on that work, and the lanterns he supplied, were put in as a team.

MR. MUNRO: Who was that? I had in mind H. Powell.

HON. MR. MACAULAY: Will Mr. Gunning and Mr. Macpherson come up here? Who was the man?

A. Our investigation showed that Powell did no work on the highway, but he sold sand from his sand pit to the value of \$14.00, and we got the sand.

MR. MUNRO: Is that all he ever did for the Department of Highways?

A. That is all.

Q. He did no work, and only sold sand?

A. That is all I know of at present.

Let me finish this one thing first. Strictly speaking an account should have been put in for payment, but it was customary for Gunning to pay incidental accounts through his pay sheets. It can be proved from Powell's wife and son that Powell sold that sand and that he was paid.

MR. MUNRO: Who was that signed by?

HON. MR. MACAULAY: We are giving you the evidence which we have gathered.

MR. SMITH: Was there another case of Powell?

MR. GUNNING: Yes. It was either before or after that.

MR. MUNRO: We do not want the statement from Mr. Gunning before he is under oath.

MR. SMITH: He is giving me the information. We did not know about this matter of Powell until this morning. And we made an examination of our records; as far as we have got, there is one item for \$1.25, and another of \$2.15; and there is this matter of \$15.00. We may disclose other instances.

MR. MUNRO: I do not want to make a speech now. I did not expect you would have been able to reach all the witnesses whom I wanted this morning; and also I anticipated that you would not be able to produce all the necessary documents. We will have to have Mr. Smith back in the box.

I am glad to have been able to facilitate your investigations by giving you the information. I have before me another amount in the sum of \$6.00; and in each instance it is shown as being for a team instead of for sand.

MR. SMITH: That is not unusual.

MR. MUNRO: This is an item of \$6.00.

A. That is quite possible; it is one of those that we have not yet found.



Q. Then this Brown man, you show him as something different from what it was actually. You show him as for a team's time, and now you say it was for rent for a church shed.

HON. MR. MACAULAY: Brown knew all about that when he made the affidavit.

MR. MUNRO: I hope he will explain that, because I have asked you to bring him here.

MR. SMITH: As far as the Powell situation is concerned, we have only started to find out about what that situation is, since we found out the name.

MR. MUNRO: I told the Attorney-General I would be willing to furnish him with the list of names and the documents it would be necessary to finish this investigation, and I am giving you discovery when I am doing that. You have given us Fife's two cheques, and he has received many others from the Department. You have said he was a teamster, when in reality it was for a truck.

Then as to Powell, you say it was for sand, and not a team. And as to Brown, you say it was rent for a shed, while the account said it was for a team. I would gladly give you information as to names.

HON. MR. MACAULAY: That applied to all of them. Do you want us to go back to Mr. Biggs' regime?

MR. MUNRO: I have spoken as to 1930 and 1931, and I have here an explanation from Mr. Smith in which he tells me that those two cheques to Fife, which we have here in the evidence, were doubled-up team time, that is that the truck was used for half the number of hours shown on the sheets?

A. That is correct.

Q. Those were bi-weekly pays.

HON. MR. MACAULAY: Bi-monthly.

MR. SMITH: Bi-weekly, sir.

MR. MUNRO: For once I was right. Here is one which you did put in, for \$44.00, and it is shown as being for eighty hours at 55 cents for a team, and you now tell me that that was in reality forty hours at \$1.10 for a truck?

A. That is right.

Q. Then again, Gunning, as Foreman, I find a J. Gunning, and I find explained here that one of the sons had left, whereas in the other case I find several Gunnings. Speaking now from Exhibit No. 13, the explanation given to you by your Resident Engineer, he says Mr. Gunning had never had more than one team of his own on the road, and he thought that his name could not appear on the time book as Foreman and teamster as well. This misunderstanding led him to put in the names of his two sons.

You see, right along he was using the names of two sons for something. Then they say here that one son had left, and so he used the name of Fife to replace the other son. I want to examine him upon all those things, and I want all the cheques.

HON. MR. MACAULAY: You will have your chance. All that Mr. Smith is pointing out to you is that there were a number of petty disbursements, such as lanterns or heat or sand, all went in on the pay-roll as team time. You will find that all of them got the money.

MR. MUNRO: There are certain cheques on pay sheet 71917, of which I have only a copy, and there we find J. Gunning, whom I am instructed is a son of John R. Gunning.

A. I understand he is a brother.

Q. He has a son too there?

A. No, not on that page.

Q. There is no son on that at all, and Fife's time is doubled up as a team.

A. That is exactly what it was.

MR. MUNRO: And there are several cheques on that one pay sheet, I would like to see all of them.

HON. MR. MACAULAY: Will you prepare for me a list of the cheques you want?

MR. MUNRO: I will be glad to tell you, and Mr. Smith can bring them in.

MR. SMITH: You will see how important it is, because there have been over 290,000 cheques gone over since last Friday.

MR. MUNRO: I have here a whole list of witnesses whom I asked for in this letter. I will give you further information.

HON. MR. MACAULAY: Can we get through with thirty witnesses to-day, and is there any object in bringing them down here for Friday? We asked for the names last Saturday.

MR. MUNRO: And I gave you the names as soon as I was put into possession of the information.

HON. MR. MACAULAY: I think we should have been given that information as soon as you started off. Do you want the witnesses here?

MR. MUNRO: I will let you know as soon as possible.

HON. MR. MACAULAY: If I do not hear from you by four o'clock, I am going to send a subpoena to every one of those witnesses named in your letter.

MR. MUNRO: Absolutely you will hear from me before four o'clock.

I can go on for half an hour, but I will want Mr. Smith back again. If you want to spend another half hour now, I am content. But from the documents which I want to inspect and from the witnesses who will be here, it will be necessary to further examine Mr. Smith and the Resident Engineer, and we can possibly do it all at the same time.

HON. MR. MACAULAY: In your subsequent investigations, in the last few days, how many cheques have you gone over in the Department?

A. We have gone through over 290,000 cheques.

Q. And you have not yet discovered a single five-cent piece that was misappropriated or that was paid out without value for it?

A. No.

MR. MUNRO: Q. That is as far as you can judge?

A. Yes.

MR. MUNRO: I want those cheques here and to have somebody give evidence about them.

HON. MR. MACAULAY: Do you mean somebody who has signed all those cheques?

MR. MUNRO: Yes, I have the information given to me, and I will give you the information, and also the documents that I want produced, as soon as I can give them to you. I do not want Mr. Smith to go through every cheque or to make a bald statement that from the evidence which is before you—which means nothing—that there was no dishonesty.

HON. MR. MACAULAY: You can go on with your examination.

MR. MUNRO: Q. Mr. Smith, I understand from you that practically throughout these pay sheets, of which you have copies, on the stretch of Highway No. 3 and 4, in many instances a truck was used when a team was shown, and further that rent for a church shed was paid, and entered here as either a team or something else?

A. Yes.

Q. Which was not a fact, and that sand was purchased and entered as a team and paid for as such?

A. Yes, that is correct. I might amplify that by saying that the ordinary farmer knows little or nothing about preparing an invoice, and that was done in order to facilitate the paying of these people within a reasonable time.

HON. MR. MACAULAY: What was that?

A. I was asked why that was done, and I replied that, for instance, sand was purchased from a farmer who knew little or nothing about making out accounts, and there was great complaint about the delay in getting the accounts through; and in order to save the delay, because they should have been paid every two weeks, this plan was adopted.

We were having people objecting to having their materials, sand and so on, taken from their property without being paid for at that time. If they sent down an invoice, it might not have been paid for in a month or two months, because there is a procedure through which they have to go with accounts, which creates delay. Further than that, they knew little or nothing about the requirements of the Audit Department as to the preparation of accounts; they had to be in ink, and in triplicate, and many other things, and many farmers hesitated about making out accounts.

This man was a neighbour of these men, and that is the way they were put through.

MR. MUNRO: Q. And therefore you allowed your local Foreman and Resident Engineer to certify to the correctness of the entries in a time book, that they were true and correct, and forward them in to you, and are you still continuing the practice, when sand is being paid for, or a church shed is being used, of having it put through as either team or labour?

A. No, that was changed.

Q. You have said that was changed as to a truck?

A. And the same thing as to everything else. In handling accounts now we can speed up their settlement and a cheque being forwarded.

Q. Are you still using sand on that stretch of highway?

A. Yes.

Q. When did you start showing that as sand?

A. That is back now, a matter—I could not say exactly—about four or five years ago; about the time that this thing came up.

Q. Where sand is being used, you are now showing it as sand?

A. Where we buy sand now we are paying for it through an invoice, and in many cases we are preparing the invoices for the farmers, because they do not know how to do it.

Q. I have casually glanced over these sheets up to November 20th, 1933, and I cannot find entered any sand or church hire, or anything but labour, teams and truck?

A. Yes, sir, that is correct; and as I say, there was nothing of that after May, 1930. I have gone over them myself and I cannot find anything.



Q. And each one of the payees of these cheques, including Mr. Brown, was required to sign in the pay-roll opposite the entry describing what was contributed, whether it was in the form of labour, or truck or team, his name.

A. Yes, they signed the pay-roll. He would not sign a time sheet, but he would sign the pay-roll when he got the cheque.

Q. Mr. Gunning is still in your employ?

A. He was suspended last Friday, after this charge was made.

Q. Do you know anything about the action, of which we have heard, other than what you have told us?

A. There may be details, but roughly that is the situation.

MR. MUNRO: I think that is as far as I can go with Mr. Smith just now. I am not saying that that is all the information I want from him.

MR. SMITH: I will be available, anyway.

MR. MUNRO: It is now ten minutes to one.

HON. MR. MACAULAY: I might call Mr. Brown, and he can tell us about his investigation.

MR. MUNRO: I think we have the information; he investigated only the Fife matter.

HON. MR. MACAULAY: That is all we knew about.

W. H. BROWN, sworn:

HON. MR. MACAULAY: Q. Mr. Brown, what is your position with the Department?

A. Chief Accountant.

Q. What was the first you knew about this Gunning case?

A. The letter from Walker that was put in as Exhibit No. 1, came in in the ordinary course and was stamped and taken down to the Deputy Minister. After Mr. Smith had read the letter, he instructed me to start an investigation immediately, which I did.

MR. MUNRO: And that investigation involved only this one man, Fife?

A. Yes. At the time the letter came in, we did not know it only involved Fife, as no name was mentioned.

HON. MR. MACAULAY: What did you do?

A. On October 16th I proceeded to London.

Q. What year?

A. 1932. On October 16th, 1932, I proceeded to London, and eventually down to Talbotville, and interviewed Mr. Walker.

Mr. Walker at that time mentioned the two instances of Fife. I returned to London and got into touch by telephone with the office, and had the cheques and pay-rolls referred to brought to London by a member of the staff. I also interviewed the Inspector of Police at London, and asked that he appoint an officer to make the investigation.

On the 17th, the Police Officer Shervill, of St. Thomas, interviewed Fife and Gunning, and the report is on file giving the result of that investigation.

Q. Did you see Walker then, at that time?

A. Yes.

Q. And did Walker at that time mention anything but the Fife cheques to you?

A. No, that is all it was.

Q. How did Walker come to be complaining about it, do you know?

A. At that time he would not give me any information as to how he himself was concerned in it, except that he said it was a case that he wanted to see justice done—those were the words used by Walker.

Q. You found out afterwards that there was a family fight on between the two of them? Gunning can tell us about that, and Walker too, I suppose. Then you went with Shervill and saw Fife?

A. Yes, and Gunning.

Q. And then, as the result of that, Shervill made a report?

A. Yes, sir.

Q. And you transmitted that to the Deputy Minister?

A. Yes.

Q. And the Deputy Minister, after receiving those explanations and reports, closed the file?

A. Yes, he closed the file.

Q. What was the difficulty with respect to getting accounts paid? Sub-

sequently, we have discovered that there were some small, petty accounts paid by Gunning and entered as time in his pay-roll?

A. Yes.

Q. Was there any excuse for that?

A. Yes, there was. It was awkward to deal with the accounts as they came in from such men as farmers, who were not used to making up accounts and things of that kind. It meant that the account would go back and forward maybe half a dozen times before it was correct. We had no knowledge that these items were coming in on the pay-roll at the time.

Then, of course, there was the fact that the Department was developing and the system was not the same in 1927, 1928 or 1929 as it is to-day. We are improving it all the time.

Q. As to these petty accounts which were paid by Gunning on his pay sheet, would the same thing happen under Mr. Biggs, back in 1920?

A. I would say so.

Q. When an account came in, what was the routine procedure? You can tell why an account might be delayed by the people in the Audit Office, and so on?

A. The Audit Department required certain particulars and the accounts in a certain condition. If you were dealing with a large concern, that was quite all right; but when you were dealing with a man who was used to farming or blacksmithing or that sort of thing, he was not used to accounts, and they would come in sometimes on a small piece of paper and sometimes would be illegible.

Q. Would they be rejected and sent back?

A. Yes.

MR. MUNRO: There was no reason why the foreman could not prepare the accounts for them, as he prepared his time sheets?

A. He does not prepare the time sheets, but the time book, and that sometimes taxes a foreman's ability; it has taken some of them a long time to be able to do that.

HON. MR. MACAULAY: Q. How long would it take a man who sold a load of gravel, or who furnished lanterns, to get his account through?

A. Sometimes two or three months; at the shortest two weeks or a month.

Q. And sometimes farmers are hard up?

A. Yes, they are.

MR. MUNRO: All the time.

HON. MR. MACAULAY: Were they as anxious to get payment then of their small amounts as they are to-day?

A. Sometimes more anxious.

Q. You have gone over the cheques in company with Mr. Smith, and have you found any fraud or dishonesty or payment for which the Department did not get value?

A. No.

MR. MUNRO: We will take that statement for its true worth, and that is as far as you know. You did not know anything about the labour that was contributed, or what was done; but you know that cheques were cashed by somebody.

HON. MR. MACAULAY: We will call everybody who got the cash, if it takes all summer. Is there anything else from Mr. Brown?

MR. MUNRO: I think not.

HON. MR. MACAULAY: Can you go on to-morrow?

MR. MUNRO: There are a number of them who should be here to-morrow.

HON. MR. MACAULAY: They are your witnesses. Cannot you undertake to produce a dozen of them here to-morrow?

MR. MUNRO: I think I can.

HON. MR. MACAULAY: Then let us adjourn until 10 o'clock to-morrow, and you will have a dozen witnesses here.

(Committee adjourned until Thursday, March 22nd, 1934, at 10.00 a.m.)

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#### FOURTH SITTING

Thursday, March 22nd, 1934, 10.00 a.m.

Hon. Mr. Black in the Chair.

HON. MR. MACAULAY: Mr. Chairman, last night Mr. Munro handed us a list of some twelve witnesses he wanted subpoenaed. We sent the subpoenas up with a special messenger to St. Thomas and Talbotville, last night. The Department put at their disposal three motor cars to bring them here this morning. It is quite a long run, but as soon as they come in we will be able to produce them. It may take an hour yet before they get here. There may be a possibility of some of them coming by train.



MR. MUNRO: Suppose we start with Mr. Macpherson; he will not take very long.

HUGH MACPHERSON, sworn. Examined by HON. MR. MACAULAY:

Q. Mr. Macpherson, you are a District Engineer?

A. Yes, sir.

Q. What is your territory?

A. I have offices in London, and my territory radiates from London in all directions.

Q. How long have you been District Engineer?

A. I have been the District Engineer in London since the fall of 1926.

Q. Was Gunning acting as a patrol man when you went there?

A. Yes.

Q. Who did he succeed?

A. A foreman by the name of Barnes.

Q. When was Gunning appointed?

A. In August, 1926.

Q. How long had Barnes been there?

A. I don't know the exact number of years, but he was there under the previous Government.

Q. Under Hon. Mr. Biggs' regime?

A. Yes. He was foreman at that time, and was up until August, 1926.

Q. What sort of foreman did you find Gunning to be?

A. I always considered Mr. Gunning one of our best foremen.

Q. How many foremen have the Government?

A. We have about twenty foremen generally; sometimes they vary a little bit. The patrols change from time to time, but usually about twenty foremen.

Q. Were there any changes in Mr. Gunning's patrol from the time he was appointed in 1926 until the present time?

A. Yes, sir.

Q. Tell us what they were.

A. When Mr. Gunning was appointed, his patrol extended from Lambeth to St. Thomas on No. 4 Highway, and on No. 3 from Talbotville to Iona.

Q. About how many miles?

A. About 22 or 23 miles. Since that time No. 1 has absorbed another section, and Mr. Gunning's patrol has been extended from Lambeth to Port Stanley.

Q. How many miles would he have now?

A. He would have 20 or 21 miles.

Q. How many miles did he have in 1929 and 1930 when this question came up?

A. He assumed the Port Stanley Road in the spring of 1929, I believe, and just previous to that he had No. 3 to Iona, and No. 4 patrol between St. Thomas and Lambeth.

Q. Were they changing from gravel roads to paved roads during that time?

A. Not in my time. That road was paved; St. Thomas-Lambeth Road had been paved for some time. It was one of the first pavements in that section. The road from Talbotville to Iona was paved, I think, in 1928, and it had been gravel just previous to that. There was a section of gravel there at that time. The pavement from Lambeth to St. Thomas did not include about a mile or a mile and a half just north of the City of St. Thomas, because there was some doubt as to an entrance into the city. The Department stopped the pavement at the top of the hill. So that Mr. Gunning also had part of a gravelled road, and that section was paved some years later.

Q. What was the first you heard or knew about this Fyfe matter?

A. Mr. Gunning explained the thing to me late in April.

Q. In what year?

A. 1930. After he had used Fyfe's name twice.

Q. What did he say?

A. He explained to me just exactly what he had done, that he had used this man Fyfe's name as a teamster in order to pay for truck time.

Q. Had he spoken to you about using a truck?

A. He had spoken to me about that.

Q. When would that be?

A. In the early summer, perhaps the late spring of 1929. Previous to buying the truck he had spoken to me at different times about the desirability of getting a truck.

Q. What was the desirability of getting a truck on this particular patrol?

A. Well, the extent of his patrol was 22 miles, and he had frequent long hauls of material. We were hauling material from our pit at Lambeth, to get the shoulders up, and he was hauling snow-fences, sand and stone at times, and he had quite a bit of hauling at considerable length. At that time his shoulders had got into quite a serious condition.

Q. The shoulders of the road?

A. Yes, due to the fact that hauling by team was slow, and he had not been keeping his shoulders up very well. The material had to be hauled a long way, and it was expensive to do it. That was one reason he was anxious to get fixed up that way, because some of the material had to be hauled ten miles or more.

Q. So that before he got a truck he consulted you about it?

A. Yes.

Q. What arrangement did you make about it?

A. I said that we would look into the matter, and decide whether we could get a Department truck for him. He said himself that he would be willing to buy a truck and use it on the road for hauling at that time, with the intention that it be used continuously. He was to supply the truck, and the arrangement was that he was to get \$1.10 an hour for the truck itself without including the driver, where they previously paid a truck \$1.50 with truck drivers, for a 10-ton truck. The arrangement was that we would allow him two teams at \$1.10, and he could put it in his time book as two teams.

Q. What was the rate prior to that time?

A. Fifty-five cents an hour.

Q. So that he would get \$1.10 an hour for the truck?

A. Yes.

Q. You thought that that was the way to do it, to put it into his time book?

A. It seemed good business on the part of the Department. If a truck would haul two or three times the amount a team would haul, for instance from Lambeth to Sandy Mount Hill, ten miles, a round trip of twenty miles, a team would make one trip a day, or two, and a truck would make five or more. There were numerous instances like that. I thought we would be wasting money, using teams, and that it was good business to have this truck right there.

Q. You expected he would charge in his pay-roll for two teams?

A. Yes.

Q. Under what name?

A. His own name, I would expect.

Q. When did you first find out that he was not charging up the two teams in his own name?

A. I may have noticed previously that his son's name was on the sheet, but I did not consider it suspicious. His sons were grown up men, living right there, and at that time I think they usually drove a team, when teams were used. The farm was operated under the name of J. R. Gunning and Sons, and I thought the sons might have an interest in the truck. I did not consider the thing suspicious at all.

Q. What was the first thing you thought was irregular?

A. The matter of using Fyfe's name. When Mr. Gunning informed me of that, I considered it very irregular and a very dangerous practice.

Q. What did you tell him to do about it?

A. I told him to stop it immediately.

Q. Thereafter the truck was entered as what?

A. Invoices were made out by Mr. Gunning, and we have copies on hand of everyone of those invoices, starting with May 1st.

Q. So that this hullabaloo is something that started five years ago, and you stopped it four years ago?

A. Yes.

Q. So much for the two Fyfes. By the way, have you satisfied yourself that the truck was used on the occasions on which these teams are charged up on your pay-rolls?

A. Yes. When the thing was brought to my attention I went over the back rolls and satisfied myself that certain work was done. I knew what time was necessary, and knew the time sheets had not been touched. I was convinced that it was honest work, and that we were paying only for what was done.

Q. So much for the Fyfe and drum—I don't know whether it was a drum, although it may be a gun! Mr. Munro has drawn attention to an item in *The Globe*. He now says he did not hand *The Globe* a declaration.

MR. MUNRO: I did not say. I said I did not have it with me yesterday.

HON. MR. MACAULAY: All right, let us turn the record up and see what you did say. My recollection, Mr. Munro, is that when I started to read that



declaration in *The Globe* you said yesterday that that was the first you had ever seen of it.

MR. MUNRO: I thought this was the declaration you were referring to.

HON. MR. MACAULAY: Did you not say that you had never seen *The Globe* declaration? The newspaper men stopped me and said it was a mistake.

MR. MUNRO: It is annexed to the exhibit.

HON. MR. MACAULAY: The question was, you did take a declaration which you read yesterday.

MR. MUNRO: Yes, and you can find it here.

HON. MR. MACAULAY: We are agreed that you did have that declaration of Brown in your possession?

MR. MUNRO: Yes.

HON. MR. MACAULAY: May I have a look at it?

MR. MUNRO: Yes, certainly.

HON. MR. MACAULAY: How would it do to file this? Have you any objection?

MR. MUNRO: I believe I have copies of it.

HON. MR. MACAULAY: Q. Mr. Macpherson, there is a declaration which was delivered to Mr. Munro, made by John Brown, declared on the 25th day of January, 1934, before R. J. Myers, a lawyer in London. Mr. Brown is a resident of the Hamlet of Talbotville, in the County of Elgin, and is a retired farmer. Do you know this man?

A. No, sir.

EXHIBIT No. 20: Declarations made by H. M. Walker and John Brown, with copies of pay sheets.

Q. Do you know what he is talking about when he speaks about an entry of his name on the pay sheets?

A. I know now. I did not know at the time.

Q. What are the facts relating to this charge on the pay sheet, of these items which appear in his name?

A. The facts are that Mr. Gunning at that time was using the shed of a church at Talbotville for the storage of sand, which was used on the highway in the winter time, to take care of icy conditions, and which we wished to keep in out of the weather. It was put in in the fall, to be available for using on the

pavements in that vicinity. He was also using it for the storage of snow-fences in the summer time. When we were not using it for either of those purposes he may have used it for the storage of calcium chloride.

Q. How much storage was he to get, and how much was it to cost?

A. I understood it was a dollar a month.

Q. You knew it was being used as storage?

A. Yes. Mr. Gunning spoke to me about the desirability of getting this shed for storage.

MR. MUNRO: Q. You did not know previously until you heard the evidence?

A. I did not know regarding Mr. Brown. I knew we owed that money to the church for the shed.

HON. MR. MACAULAY: Q. For that stuff being stored there?

A. Yes.

Q. Gunning was charging that up in the pay sheet?

A. Yes.

Q. As a payment to Brown?

A. Yes.

Q. As justification for that, what was his excuse?

A. Mr. Gunning's idea at the time I understood was that it was a small item which he wanted to get paid promptly, and thought it was perfectly right to put it through his time book on an invoice.

Q. You have not talked to Brown about it?

A. No, sir.

HON. MR. MACAULAY: He is in your list, Mr. Munro?

MR. MUNRO: Yes.

HON. MR. MACAULAY: We will hear from him to-day.

Q. Was there any misfeasance or misappropriation of funds in connection with the payment to Brown?

A. No, sir.

Q. Is that similar to the others which have been drawn to your attention?

A. Yes, sir, as far as I can find out or know.

Q. Small payments for small services?

A. Local accounts to local people for usually small services, or small amounts of material; sometimes they have extended over a period of time. There were different payments made to the same individual. These were items that we were paying locally, to carry on maintenance work.

Q. That practice of allowing a patrolman to buy a few small supplies from local farmers and dealers, has that gone on in this residency back to Hon. Mr. Biggs' time?

A. I believe it has.

Q. When was it stopped?

A. It was stopped at this residency as soon as Fife's name came to my attention. I instructed the foreman that it was not to be continued.

Q. So that if you wanted to buy a gallon of gasoline you would have to get an order for it and put it through the Department?

A. Yes.

Q. Even though it was thirty cents?

A. Yes.

Cross-examined by MR. MUNRO:

Q. Mr. Macpherson, I understood you to mention that the first knowledge you had of cheques being drawn for the use of a truck and charged as a team was in the Fife instance, and that you then immediately put a stop to it in your residency?

A. The first time I knew of the Fife payment was when Mr. Gunning used Mr. Fife's name.

Q. Did you have any knowledge that he was using any other names in a similar way?

A. Yes.

Q. What other names?

A. His sons' names. I think I explained that to Mr. Macaulay.

Q. Did his sons do any work on the highway?

A. I don't believe they did at that time.

HON. MR. MACAULAY: They were driving teams previous to the truck being bought.

Q. He is asking you when their names appeared with teams there?

A. During the period when Mr. Gunning was paying for the truck, by using two teams; his sons' name appeared, that started when he bought the truck, to use his two sons' names as two teams.

MR. MUNRO: Q. When did he buy the truck?

A. He bought the truck in August, 1929.

Q. I am looking at a copy of pay sheet No. 65051 for the period from February 1st to February 15th, 1929. I find there E. Gunning; he is a son, is he not?

A. Yes.

Q. Do you know whether he worked for that period?

A. I don't know whether he worked for that, or whether that was a matter of the truck working.

Q. That was prior to 1929?

A. As far as I knew at the time, that is the time Mr. Gunning's son was there with a team, on the road, doing actual team work.

Q. The amount of the payment is shown as \$35.00?

A. Yes.

Q. Is there any other occasion where Mr. Gunning's name appeared previous to that, and if so would it be for actual team work, actual labour?

A. Actual work done.

Q. What are the names of Mr. Gunning's sons?

A. Elfern Gunning and Howard Gunning.

Q. Were they living at home with their father from 1929 to 1933?

A. One son is home all the time.

Q. Which son?

A. Elfern, if that is the right name.

Q. H. Futch, that appears on pay sheet 64757.



A. I did know him.

Q. Did he operate a gravel pit?

A. I understand he did.

HON. MR. MACAULAY: Q. Is that the dead man that you are referring to?

MR. MUNRO: The man I am referring to is the man who is charged as a team.

Q. Do you know whether he did that or not?

A. Mr. Gunning tells me that he had the wrong individual. I did not know at the time, until I investigated this thing.

HON. MR. MACAULAY: When did he die?

MR. MUNRO: 1932.

HON. MR. MACAULAY: You do not mean that he paid a man that was dead, do you?

MR. MUNRO: We will get this evidence in some other way.

Q. So you say the last of the Fife cheques which were produced here as exhibits, in May, terminated so far as Mr. Gunning was concerned the practice of entering as a team the use of the truck?

A. Yes.

Q. Are you sure about that?

A. Yes, sir.

Q. Do you mean to tell me that from June until March 4th, 1931, a truck was entered when it was actually used or that there was no truck entered?

A. There was no truck entered on the pay list. The truck was paid for by an account. I want to give you the actual facts. I may be a little mixed on some dates. I mean the trucks were put on time fixed. The whole history of this truck business is this: Mr. Gunning bought this truck in August, 1929, and was allowed to put team time in until the end of April, 1930, that is, the following spring. When the Fife business appeared and the two Fife names appeared in April, one in the first part of April, the other in the last part of April, then the truck was stopped, but Mr. Gunning's truck was still rented, it was paid for with these accounts. These are copies of every account Mr. Gunning put in, starting with May 1st, 2nd, 12th, 15th, 16th and so on.

Q. Of what year, 1930?

A. Yes.

Q. Right up until when?

A. Right up until February, February 16th to 28th, 1931, the first time the truck shows on the time books as a truck.

There are three ways of paying for the truck.

Q. Let me see these accounts; were they rendered by Mr. Gunning to the Department?

A. Yes.

Q. These are Department records?

A. Yes. These are our copies.

HON. MR. MACAULAY: Q. Have we copies of these?

A. We keep a copy in our office.

Q. These are your copies?

A. Yes, sir.

MR. MUNRO: Q. I will ask this question again. The pay list for that period, after the discovery of the Fife cheques in April—I will put the fact to you first. In April, 1930, continuously up until 1931 you still show Team, Team, Team, and labour, but no truck?

A. No. On invoices we were permitted in February, 1931, to show trucks on our time books as trucks. That is still the case. We show trucks from that time on.

Q. You show trucks on your pay sheet?

A. Yes, starting February, 1931.

Q. For the period from June, when you discovered the Fife matter, until February of 1931, I notice you still continued to use the truck and include the team time for truck time, did you not?

A. No, sir.

Q. Do you say that these accounts are not included in this pay-list?

A. No, sir. Any team shown in that period is a team actually doing team work.

Q. These accounts were rendered to whom and sent on to you?

A. To our office, checked through and sent to Toronto for payment.

Q. So that these accounts are an addition?

A. There is no double payment.

Q. That is, in addition to the payments shown here on the pay-list?

A. The payments on the pay-list during that period are all actually as shown, team work, the truck payments are taken out of the pay-list altogether for that period. We were not permitted to show them, on the pay-list again until February, 1931, when the Department permitted them to go on the pay-list, to facilitate payments, because these accounts were a long time being paid; the engineers were continually pressing to have them put on the pay-list, so that they would be paid within a period of a week or two weeks.

EXHIBIT No. 21: Pay-lists.

HON. MR. MACAULAY: May we identify them on the record, so that we will know exactly what they are? I will ask this:

Q. These are bills or invoices from J. R. Gunning, Talbotville, to the Department of Public Highways, accounts for truck, starting with May 2nd, 1930, and running through to February 13th, 1931.

WITNESS: That permission was granted at a conference of engineers. We hold a conference every winter, in about February, and the engineers all asked permission to have these accounts shown as trucks on the pay-list. We were granted permission at that convention to do that, and we have been able to do it ever since. Following that the lists were changed to show the truck running along.

MR. MUNRO: Q. While you had no actual knowledge of the work that was done, you relied on the certificate of your foreman?

A. Yes, every engineer has to do that.

Q. Did you make an investigation personally when the question was raised as to the Fife work?

A. Yes.

Q. And the Pow irregularity?

A. The Pow irregularity was not raised until just now.

Q. Do you know of it, or did you know of John Brown before this?

A. Not that I know of, until this investigation. We had gone into all this information.

Q. You made your investigation of the Fife matter in 1932?

A. I investigated the Fife matter just as soon as Mr. Gunning brought it to my attention, in 1930.

Q. Didn't you have complaints from some other source about it?

A. No, sir.

Q. Do you say that Gunning was the first person at that interview?

A. Yes.

Q. He told you that he had actually performed the act?

A. Yes, he did that.

Q. You thought he was doing something which was wrong, or not wrong, but dangerous?

A. I think he became alarmed about it, and came to me and told me about it, and said he should not have done it; he explained to me what he had done, and I stopped it immediately. I satisfied myself that the work had been done. I went over the work that was done, and knew what the truck was being used for. As far as I could find out, there was no false payment made, or money paid which should not have been paid.

Q. Did you speak to Fife?

A. No, I did not speak to Fife.

Q. What investigation did you conduct, which satisfied you?

A. I investigated with Mr. Gunning, as to the work which was done.

Q. You took what Gunning said as a fact?

A. I wanted to go over Gunning's work once or twice a week, to know what he was doing, and see the truck day by day.

Q. What investigation did you conduct, what did you inquire into?

A. I personally knew that this work had been done by the truck.

Q. Did you inquire from Fife?

A. I did not inquire from Mr. Fife.

Q. You did not inquire from any person except Mr. Gunning?

A. Mr. Gunning and myself. I have a personal knowledge of the facts.

Q. Did you communicate that information to any of your superiors?

A. No, sir, not at that time.

JAMES R. GUNNING, sworn. Examined by THE HON. MR. MACAULAY:



Q. Mr. Gunning, how long have you been Foreman on your patrol in Residency No. 2?

A. From the 1st day of August, 1926.

Q. You have been there continuously ever since?

A. Yes.

Q. In charge?

A. Yes.

Q. Whom did you succeed?

A. Mr. John Barnes.

Q. How long had Barnes been Foreman?

A. Ever since the roads there had been taken over by the Department. He was the first Foreman of the Department.

Q. When was that?

A. I think it was in 1919, but I am not positive.

Q. It was not in 1925 or 1924?

A. No, sir.

Q. If it was not 1919 it would be 1920, would it not?

A. Well, he was the first Foreman of the Department.

Q. You have heard what Mr. Macpherson said about a discussion—there is no use of threshing this all over again?

MR. MUNRO: No.

HON. MR. MACAULAY: Q. You heard what Mr. Macpherson said about your arrangement about taking your truck on to your patrol?

A. Yes.

Q. Is it a fact?

A. That is correct.

Q. What arrangements did you make with Mr. Macpherson about taking the truck on?

A. I asked him. I asked if the Department would furnish any trucks, and

he said No, that they had objected to furnishing any more trucks. I felt as if we had to improve some of our shoulder work, and teams were hard to get for long hauls in July and August. It was expensive, doing the work with teams, with long hauls, and I proposed if I purchased a truck would the Department hire it. The answer to me was that they would be willing to do that, but the truck's time had to go in on the time book as team's time.

Q. You purchased a truck, and when the truck was used, if you used the truck for one hour you entered two hours' team time in your pay-book?

A. Yes, similar to that.

Q. Why didn't you enter it in your own name?

A. Well, there is where I was ignorant, I suppose. I thought my name could not appear in two capacities, as a teamster and as a Foreman, which never had appeared previous to that, in time or teams. My sons drive teams and use their horses. I thought it was not reasonable that my name should appear as teamster and Foreman.

Q. It was not any more unreasonable than that a man should appear who hadn't anything to do with it?

A. That was my honest impression or opinion. Previous to that all my drivers had worked with horses, and their names always appeared.

Q. In this case there were no horses and no drivers?

A. No, it was for the truck alone.

Q. How many sons have you?

A. Five.

Q. How many appeared on the pay-rolls at various times?

A. Two.

Q. Give me their names.

A. Elfern and Howard.

Q. Were they living at home in 1929, when this controversy arose?

A. Elfern was. I don't know whether he was there during that year. That was the time he got married. He was living close to the farm. He might have been at his father-in-law's.

Q. Where is that?

A. About three or four miles away.

Q. He was actually boarding and sleeping at home most of the time, or around home?

A. Around home.

Q. Well, your two sons, Elfern and Howard, were with you and were available, and you used their names in your time book to Labour and Truck Rental?

A. Yes.

Q. When was it you first used Fife's name in place of one of your boy's name?

A. I guess it was in April. My eldest son went away from home. He went to work for the Johnson Construction Company, several miles from home, in March of that year. I told Mr. Fife what I had been doing with reference to the boys' names appearing, and said that the truck time was given in as team's time, explaining the whole matter. Later I asked him if I could put his name in in payment for the truck, to be entered as a teamster. He said, "I don't think you are doing anything dishonest, as far as I know, and I am willing to do that." I did that for the reason that my oldest was going away from home, and would not be there to endorse the cheques.

Q. How often did Fife's name appear in that way?

A. Two different times, as payment for the truck.

Q. His name appeared as a labourer?

A. He appeared as a teamster, but it was for work he actually did previous to this.

Q. How many times did his name appear for payment?

A. Two times.

Q. Were those the ones I went into yesterday?

A. One was \$44.00 and the other \$37.95.

Q. What happened to stop that practice?

A. I thought it seemed to bother him, that it was not right, and spoke to me, and the moment I drew it to his attention he said, "I should not have done it." A few days after that I got a letter from the office stating that for all truck time, it was to go in on invoices, bills and accounts.

Q. From that time on, all accounts for your truck came in as an invoice to the Department of Public Highways?

A. Yes.

Q. Until when?

A. I think it was on in February, 1931. I would not say the date.

Q. Then what happened?

A. We were allowed to put the truck on the time book at the price that it was hired for, the price per hour.

Q. Have you ever received any money for these cheques, these cheques you received in Fife's name and in your son's name for team time which really should be truck time; is there a dollar more than you were entitled to for your truck rental for the time it was used?

A. Not one dollar, or not more than a dollar.

Q. You are charged with grafting \$489.00 from the Province; did you ever graft a dollar?

A. I don't remember ever grafting a five-cent piece.

Q. So that so far as you are concerned you now say, notwithstanding what has been said about you, that you did not receive anything more than you were honestly entitled to?

A. No, sir.

Q. So much for the truck. We received a letter in October, 1932, from a man by the name of Walker, charging our Foreman with padding a pay-roll, and there was a subsequent investigation, when it turned out that the charge was trumped up against you. Was there any trouble between you and Walker?

A. In the spring previous to 1932, Mr. Walker had partly went into an agreement with my sister-in-law, Mrs. Barnes, about the renting of a farm which she owned. He drew up a lease himself and had copies of it, but neither party had signed it at all. In the meantime, neither me nor my son knew anything about it. We talked about purchasing the farm; we went over the property and decided what we could pay for it. We went and saw Mrs. Barnes, made her an offer, and she agreed to take the offer, but at the time she agreed to do this she said she had partly agreed to lease the house and garden on this property to Mr. Walker, and she said, "I suppose I will have to pay him something for his trouble," although he had never moved on the property and had done no work except tearing some paper off the house to the extent of one-half of it, but had not moved his household effects in any way, as far as I know, and as far as I could see at the time, he did not pay any money out and was nothing out financially or in any other way, other than that half day's work. There were no writings drawn about the farm. She said she would let it stand at that until she saw Mr. Walker. The next day she came to Talbotville. She was living in St. Thomas with her sister at that time. She came out and said that she said to Walker that she had a chance to sell her property, and she wanted to know what she owed him for the leasing of the house and the agreement. He withdrew a few minutes, and said he would have to take some time to figure it up. H



was to let her know that afternoon. Mrs. Barnes and my son came up to our place, and while there Mr. Walker sent a note down that he would meet her at Mr. Appleford's. She went into the Appleford home, and asked him what she owed him. He said that she owed him \$112.50. The woman was sort of dumbfounded, and said, "I think you are holding me up, I cannot understand how I could possibly be owing you \$112.50; the lease is not signed, and you have had no serious trouble whatever." He went on with a lot of figures, showing what he was going to do, that he was going to keep so many pigs, and grow so many potatoes, an itemized account of perhaps a page long of what he was probably going to do.

Q. Go ahead.

A. The woman was quite nervous, and hardly knew what to do. She said in the excitement, "To show you that I do not want to be mean or dishonest, or do anything that is wrong in any way, I will give you \$50.00 and we will settle the thing right now." Mr. Walker hesitated for a while, and said he could not accept \$50.00 in payment for his trouble, and showed her some more figures, and one thing and another, and finally said he would take \$75.00. She simply backed away and said, "No, I won't settle with you, I will go and get further advice, I think you are still asking me too much money." Mrs. Barnes and Howard Gunning came back to our place about four o'clock in the afternoon of the same day, and told me what had happened, and finally asked me if I would go down and try and settle the matter with Mr. Walker, that she wanted to get it off her mind. I promised to do so, and Howard Gunning and myself drove down in the car to Mr. Walker's own residence. Howard went to the door and asked Mr. Walker to come out. I was in the car. He climbed into the car opposite me, and I told him I had business there with reference to the house deal between him and Mrs. Barnes, and I told him then, "You are trying to hold this woman up." He said, "No," and pulled out his papers and started to figure out what he had intended to make. I said, "That is all nonsense, that does not appeal to me at all." I told him he never signed a lease, and Mrs. Barnes had not signed it, and that legally he could not collect a cent. Then he told me that legally he was in possession of the property. I asked him if he had slept on the property, or moved any effects there? He said no, he had not, that he had only torn off that paper. I told him he was not in possession any more than I was. I finally wound up and said that the woman had offered him \$50.00 and was willing to carry it out, and I said, "I am here to tell you that you will take \$50 or nothing, inside of two minutes." I was not feeling very good at the time. He finally quieted down and consented to take \$50.00. He said, "I will take \$50 and we won't have any trouble about it."

From that time on Mr. Walker did not have very much love for me. Previous to this affair in July of the year before, I had recommended Mr. Walker as a traffic census man at Talbotville for the Department of Highways, and he was allowed the job. I did not have the hiring, but I am often asked to get men. Following this affair, in July of the next year, I did not recommend him for I began to see the inside of his character. Consequently from then on he had less love for me, and in October of the same fall he wrote a letter to the Department of Highways, in which he charged that grafting and padding of the pay-rolls was going on.

Q. Is Walker here?

A. He was supposed to have left last night and come here at 10 o'clock this morning.

Q. Was a subpoena served on him?

A. I believe so. It was taken away by a man who left here last night.

MR. COOMBS: I did not serve him. I did not get it until 11 o'clock.

HON. MR. MACAULAY: Did you telephone him?

MR. COOMBS: I saw Mr. Sutton, who is on the list, and he undertook to bring John Gunning down in his car. They are in town.

HON. MR. MACAULAY: Is he here with them?

MR. COOMBS: Yes, sir.

MR. MUNRO: Do you know where he is?

HON. MR. MACAULAY: He isn't at your hotel, I hope.

I am sorry Mr. Walker is not here, because I am quite convinced that as between Mr. Gunning and Mr. Walker you will have no hesitation in concluding who is the more reliable in his testimony.

Q. However, there was an investigation following the complaint of Walker?

A. Yes.

Q. We are not going to go over all that. The Provincial Police came up to see you about it?

A. Yes.

Q. And they went to see Fife?

A. Yes.

Q. There was a report?

A. Yes.

Q. The report found that there was no dishonesty or defrauding, but that you did use these names irregularly?

A. Yes.

Q. That was all that was complained of at that time?

A. Yes.

Q. The next thing the Department hears is that Mr. Munro made charges last week. He says you paid money to a dead man, and mentioned Mr. Pow. When did Mr. Pow die?

A. July 19th, 1932, I believe.

Q. Have you paid any money to him since he died?

A. No.

Q. When did you pay the last money to Mr. Pow?

A. I cannot positively say.

Q. I have a memorandum here dated February 1st, 1929. Would that be about the last?

MR. MUNRO: You mentioned certain amounts yesterday of which I have no knowledge. The last date I have is 1929.

HON. MR. MACAULAY: Nothing near his decease?

MR. MUNRO: No.

HON. MR. MACAULAY: Q. The last date apparently is 1929. What were any payments made to Mr. Pow for?

A. It was for sand taken from his pit. I think the last time we took sand from his pit we undermined a fence, and that was next to a field he was working, and when the frost came the fence seemed to fall down.

Q. We had a list in which the son or daughter was subpoenaed, and I was wondering if the Pows were here. Are any of the Pow family living in the vicinity yet?

A. Yes, on the same farm.

Q. Who are there?

A. Vermont, his son; his wife, and his daughter.

Q. Were they subpoenaed at the slander trial?

A. No.

MR. MUNRO: I had not included them.

HON. MR. MACAULAY: Q. Your explanation is that these payments, of which there are four or five on your pay-list were for sand, and some slight land damage?

A. Yes.

Q. How did you pay for it?

A. I put his name on as a teamster for sanding the road.

Q. So much time?

A. Yes, equivalent to the cost of the sand and the damage. I think the damage was about \$5, but the rest was for sand taken from his pit.

Q. This man got some two-inch headlines in *The Globe*, so I think he is worth some attention. You did not take any of this money?

A. I did not.

Q. These cheques are payable to Pow?

A. Yes.

Q. Who got the money from these cheques?

A. Mr. Pow. At least he got the cheques from me.

Q. Here is a cheque dated February 1st, 1928, another December 1st, 1928; January 6th, 1929, and February 5th, 1929. I will put these in.

EXHIBIT NO. 22: Cheques.

HON. MR. MACAULAY: This is a sample of the other cheques. If Mr. Munro wants the rest of them put in, he can have them.

MR. MUNRO: I don't think there is any real difficulty there.

HON. MR. MACAULAY: I put in a cheque dated February 5th, 1929, from the Department of Highways to H. Pow, for \$14, endorsed by H. Pow.

Q. You say that Mr. H. Pow got the money represented by this cheque?

A. Yes. He got the cheque from me.

Q. That is the last you know about it; you cannot swear what became of it?

A. No, sir.

Q. You did not get the money?

A. No.

\* Q. There are three other cheques which I will put in if requested by Mr. Munro. The other one referred to in *The Globe* is made to John Brown. You have told us about him, or perhaps it was Mr. Macpherson who told us about him. Tell us about your payments to John Brown, the Treasurer of the Talbotville United Church.



A. It started with the renting of the church sheds at Talbotville. I took it up with the Quarterly Board.

Q. Were you a member of the Quarterly Board?

A. I was. I was one of the Stewards.

Q. Was Brown a member of the Quarterly Board too?

A. He was.

Q. You were brothers in the same cause?

A. We went to the same church.

Q. Then what happened?

A. I laid the matter before them, that the Department would like to rent those sheds for the purpose of putting sand in there to keep it dry and to keep it from freezing so much, and that the sheds would be in use for six months. I asked them if they were willing, and they were quite willing for the purpose if the sheds not used—there are not many horses and rigs driven in there now. I said the Department would be willing to pay \$5 to put sand in there.

Q. About one dollar a month?

A. Yes. At that time I was paying these small amounts on the time book.

Q. How did you estimate the amount?

A. We were to have the use of them for six months.

Q. You would get six months for \$5?

A. Yes.

Q. Every six months did you put through an account for \$5?

A. No, the amount was paid on the time book.

Q. For six months you would put in an account for \$5.50?

A. That was later on. The first one was \$5. There was first an order for sand, and one for snow-fences. The snow-fences were stored in the summer time in another portion of the shed, and the sand was stored in the winter time. The sand was stored in one portion of the shed in the winter time, and that they received \$5 for; that would be once a year. Later on I spoke about storing the snow-fences in April, and they received \$5 or \$5.50 for the snow-fences during the summer months, so that really in all they got \$11.00 for the whole year.

Q. I have a record from the account which shows a cheque on April 1st,

1928, of \$5; April 1st, 1929, \$5; November 16th, 1929, \$5.50, and March 15th, 1930, \$5.50; in all, \$21. Is that correct?

A. That is correct.

Q. You say that that was for the rental of those sheds?

A. Yes.

Q. What method did you adopt to pay Fife?

A. His name was put on the time book as a teamster and charged up to sand—in the case of sand his name was put on that, and in reference to the snow-fences it was charged to snow-fences, and put down as a teamster.

Q. Take the first \$5, how would that be entered?

A. Ten hours at 50 cents an hour.

Q. Which was the rate teamsters were getting at that time?

A. Yes.

Q. These cheques which have been put in, the two cheques to Brown for \$5.50, do you know Brown's signature on the back?

A. I suppose that is his signature. It is not mine.

Q. You delivered the cheques to Brown?

A. I did.

Q. Did you get any of the money represented by those cheques?

A. No, I did not.

Q. Did the church get it?

A. Yes.

Q. Have you the church records?

A. Yes.

Q. Will you let me see them?

A. (Witness produces book.)

Q. Who kept these church records?

A. John Brown.

Q. Has he arrived yet?

MR. COOMBS: No, sir, not yet.

HON. MR. MACAULAY: Q. Who did you get these records from?

A. Mr. William Hicks got them from Mr. Brown.

Q. These are produced from the custody of Mr. Brown. I suggest that they be admitted, subject to any objection when Brown comes.

MR. MUNRO: Right.

HON. MR. MACAULAY: Q. Tell me what entries there are showing money received from the Department of Highways. Whose handwriting is this?

A. I cannot swear, but it is Brown's, I think, from the Department of Highways.

Q. There is an entry on the last page of this record of the church.

A. 1928, from the Department of Highways, \$5 is marked.

Q. And April 27th, above it?

A. Yes.

Q. Are there any other records?

A. I do not see any there.

EXHIBIT NO. 23: Large book of records of Talbotville United Church.

Q. What is the next, in 1931?

A. That is \$6.

Q. Apparently there is a book in between, which has not been produced?

A. Yes.

Q. I will put in the printed annual report of the Talbotville United Church for the year ending December 31st, 1930.

A. J. T. Brown, Treasurer.

Q. Is there any receipt there from the Department of Highways?

A. Yes.

Q. These receipts run from the Department of Highways, \$5.50—I think

we have proved that the church got the sum of \$21 from all these items we have reports for.

EXHIBIT No. 24: Annual report of Talbotville United Church, 1930.

Now, Mr. Gunning, were there other similar small disbursements you were in the habit of paying on your own responsibility by entering them in the time book?

A. Yes, there were some others.

Q. Were they generally small items?

A. Most of them were pretty small. One man got \$5 one year, similar to Mr. Brown's, for a car of cinders.

Q. Why did you adopt that method?

A. I suppose I should not have done so, but I knew it was the past custom, I knew the foreman previous to me did it.

Q. The farmers wanted their payments quicker?

A. I got instructions from Mr. Macpherson's office on one or two occasions to pay these small accounts.

Q. What caused you to start an action against Walker—the situation got too bad up there?

A. I thought it was very bad.

Q. What was the trouble?

A. He was branding me as a thief, that I had paid money back to the Department to save myself from prosecution. That was rumoured in my part of the country. The rumour started with him, because he was the man who wrote the Department. I was told that they got a letter from Mr. Walker. I did not do anything for a considerable time; he still continued to spread what he thought was good news, I guess, and it pretty nearly got unbearable for myself and family.

Q. What did you do as a consequence?

A. The first action I took, I went to a solicitor, and he wrote these men a letter asking if they would apologize and retract.

Q. What men did he write to?

A. He wrote to Mr. Walker, Mr. W. H. Sutton, Cameron Sutton, Norman Mulligan, Roy Leeson, William McCallum.

Q. What did he ask them to do?



A. He asked them if they would retract or make a slight apology for the references, for the defamation they had made against my character.

Q. What was the defamation they were charged with spreading?

A. They were branding me as a thief.

Q. Did he get any reply from those people?

A. They all came into Mr. Leitch's office but one man.

Q. What did they say to Mr. Leitch?

A. I was not there.

Q. Mr. St. Clair Leitch of St. Thomas was your solicitor?

A. Yes.

Q. They came into see him?

A. Yes, all but one man, I believe.

Q. Who was the one man?

A. William McCallum.

Q. What did your solicitor advise you to do as a result of this interview?

A. He had asked for an apology, that it would avoid any further action against them. I think there were four out of the six denied that they had ever done anything, and had no intention of harming my character, and so on, and I think they did keep quiet from then on. Mr. Walker declined and said he would stand by anything he had said, and consequently kept on.

Q. As a result you felt you had to sue him for libel or slander?

A. I issued a writ against him.

Q. Having issued the writ, what happened?

A. The writ was issued.

Q. It came up for trial once and was adjourned?

A. No, it did not reach the Court in October of 1933.

Q. It was on the list for trial?

A. It was on the list for trial.

What I mean is that the Court was adjourned, the Judge adjourned the Court.

Q. What did the Judge say at that time?

A. They presented the case while the Grand Jury was out, considering a bill in a criminal case, that was there. After presenting the case the Judge ordered the solicitors to go out and settle it, that there was no good coming out of slander actions and he was not going to carry it on if there was any possibility of settling it. While out the Grand Jury brought in a true bill in the criminal case, and it went on and took all the balance of the time the Court was held.

Q. So the case was not reached?

A. No.

Q. That was last October?

A. Yes.

Q. When did it come up on the Court calendar again?

A. March 5th, 1934.

Q. What happened that time, when it came up?

A. They presented the case to the Judge again, and he asked if there was any possible way of getting a settlement. I was not in the Court Room. The solicitors came out, and we discussed a settlement in a great many ways, and decided to settle it.

Q. On what basis did you settle with Walker?

A. I had to pay \$150 of his costs.

Q. Why did you do that, if you thought you were still in the right?

A. I did it for these reasons: up to that time I had not realized that a disagreement of a jury, if the jury disagreed, if you did not have ten men to carry it through, your case stopped right there, and there was nothing more done to it, that it stopped there. I came to the conclusion that it might be tried five or six times before I would get ten men on one side, and I could not afford the expense. On the other hand, I could not collect anything off of Walker, so far as money was concerned.

Q. Why not?

A. Because he was financially irresponsible.

Q. Those are all good reasons, but you should have thought of them before you started?

A. I should. That is where I made another serious mistake.

HON. MR. MACAULAY: Was there any suggestion—I think I was at home ill when you were speaking in the House and said it was at the suggestion or the collusion of the Department of Highways that this action was settled.

MR. MUNRO: No. I did say that the case had been settled at the point of trial, and I was further frank enough in response to say that I knew that if these irregularities had been called to the attention of the authorities, the responsible heads, they would not have been allowed to continue.

MR. MACAULAY: That is correct. We did not know anything about it.

Q. Did you have any communication from me about settling this case, or anybody in Toronto?

A. No. I never saw you until the day before yesterday.

Q. You settled it on your own responsibility?

A. Yes.

MR. BAIRD: Q. Would you say that the grudge against you arose out of the fact that he thought you had deprived him of a profit of \$2,500 on chickens or pigs?

A. That had nothing to do with hogs or chickens.

Q. I thought he was going to use the farm for raising hogs or chickens.

A. That is what he said he was going to do. He had hogs at the time, in the village where he was living. I suppose that was the reason he was mentioning hogs.

Cross-examined by MR. MUNRO:

MR. MUNRO: Q. You said the situation became almost unbearable, and that you decided to institute a slander action against him?

A. Yes.

Q. You did that through your solicitors, Messrs. Leitch and McClurg, of St. Thomas?

A. Yes.

Q. I have here a copy of your Statement of Claim. I will read it all if you like, but I think the material parts are these:

“5. At various places in the County of Elgin and on divers occasions since the month of July, 1932, the defendant in the presence or within the hearing of Norman Mulligan, Roy Leeson, William Stidwell, William H.

Sutton, Wilfrid Fife, B. H. Burtwhistle, William McCallum, Cameron Sutton or some one or more of said persons or other persons, whose names are not known to the plaintiff, falsely and maliciously spoke and published of the plaintiff concerning his employment and duties as road foreman, the following or words to like effect, that is to say:

“ ‘Jim Gunning has been stealing money from the Government. He has been padding and falsifying pay sheets.

“ ‘He has paid or offered to pay the Government \$1,000 in money to save himself from prosecution or arrest.

“6. The defendant falsely and maliciously wrote and published of the plaintiff in the form of a letter addressed and sent by the defendant to the Superintendent of Highways, dated September 10th, 1932, the words following, that is to say:

“ ‘On one of your divisions you have a foreman which has been carrying on graft of padding the pay sheet for a number of years. Is there any possible method we can use to bring this man to justice?’

“ ‘I have put one of his accomplices on his oath. He swears he signed a great number of cheques but did not get any of the money. For further information send your authorized agent to me.

“ ‘(Signed) H. M. Walker,  
“ ‘Talbotville, Ont.’ ”

“The foreman mentioned in said letter referred and was intended by the defendant to refer to the plaintiff and was so understood.”

That letter is here and is filed as an exhibit. Then you go on in paragraph 7 to say:

“7. On or about the 17th day of March, 1933, the defendant falsely and maliciously wrote and published in the form of a communication to the *St. Thomas Times-Journal*, a newspaper printed and published in the City of St. Thomas, in the County of Elgin, and which communication was printed, published and circulated at the request of the defendant in the words following, that is to say:

“ ‘To the public:

“ ‘In reply to statement in *Times-Journal* dated March 16, 1933, to scandal mongers

“ ‘ARE WE?

“ ‘A man who is implicated in this scandal did on the 28th day of July, 1932, take oath before a Notary Public, that he indorsed a number of cheques, issued by the Highway Department, Toronto, in his name and handed to him by Jas. R. Gunning for which he did not do any work on the highway.



“READERS: Ask yourselves the question, Is this a case of padding and falsifying pay sheets?

“I have evidence to prove to the satisfaction of a Court that this said man did not work on the highway in the year which I state the pay sheets were padded.

“(Signed) H. M. Walker.

“Talbotville, Ont., March 17, 1933.’ ”

Then you go on to say that the plaintiff claims from the defendant damages, the costs of the action, and such further or other remedy or relief as to this honourable Court may seem proper.

To that Mr. Walker's solicitors entered a defence, and that defence reads in part as follows:

“11. The defendant specifically denies that he ever used the words ‘he has paid or offered to pay the Government \$1,000 in money to save himself from prosecution or arrest,’ as set out in paragraph 5 of the Statement of Claim.”

Then he admits this in paragraph 12:

“12. The defendant further says that the statements hereinbefore admitted to have been published or any other statements proven to have been published by the defendant in regard to the plaintiff were by the defendant published *bona fide* and as fair comment on a public matter of interest to the defendant and other citizens of the Province of Ontario and published by the defendant relying on the sworn statement of Fife, which sworn statement the defendant relied on as being true and in so far as the defendant knows is true.

“13. The defendant therefore submits that this action against him be dismissed with costs.”

And by amendment they added this:

“14. In the alternative the defendant admits the allegations made and contained in paragraphs One, Two, Three and Four of the Statement of Claim and denies all other allegations therein contained, saving those hereinafter specifically admitted.

“16. The defendant admits he wrote the letter which is substantially correctly set out in paragraph Six of the Statement of Claim, and says that the allegations made therein are true in substance and in fact.

“17. The defendant admits that he wrote the article for the St. Thomas *Times-Journal* as set out in paragraph Seven of the Statement of Claim and says that the allegations therein made are true in substance and in fact.”

You did bring this action to vindicate your character, in consequence of the

statements being circulated and in consequence of the letter written to and published by the St. Thomas *Times-Journal*.

A. Yes.

Q. That *Journal* has a circulation in the neighbourhood where you reside?

A. Yes.

Q. You had your case partly tried, I understand, at one sitting of the Court; you said the case was heard or partly heard?

A. No, it was only presented to the Judge by the solicitors.

Q. No evidence was given?

A. No evidence was given.

Q. Then it was adjourned until Court was held on March 5th last?

A. Yes.

Q. At that time you made a settlement of this action?

A. Yes.

Q. As you say, by paying \$150.00?

A. Toward his costs.

Q. So as a matter of record, so far as the Courts are concerned, these proceedings still stand undetermined by any evidence?

A. Yes, not determined by any evidence.

HON. MR. MACAULAY: Do you know whether an order was taken out dismissing the action?

MR. MUNRO: There was no dismissal at all. There was correspondence by Mr. Leitch sending to Walker's solicitors a cheque for this \$150 and Walker's solicitors acknowledging it in settlement of the action. I have that here.

WITNESS: The action is disposed of, I signed a dismissal of the action with costs, and Walker signed it too. That is filed in the St. Thomas Court.

MR. MUNRO: Q. You have told Mr. Macaulay, in response to his questions, that you never profited by any of the irregularities, and we have spoken of only three, the Powell matter in which sand is entered as team time, the Brown matter in which the church shed is entered as labour or team time, and the Fife matter in which a team is entered when in reality it was pay for your truck?

A. Yes.

Q. Everything that appears in the records which you signed and returned to the Department is correct and according to the fact, is that so?

A. With the exception of other small accounts which I remember.

Q. Is Ross one of them?

A. Yes.

Q. That is another church shed?

A. Yes.

Q. Wesley Ross?

A. Yes.

Q. For \$5?

A. Yes.

Q. Have you any other instances where purchases were made and the item entered as labour or team which you want to explain to me now?

A. There were others through there, such as gravel.

Q. Which ones are those?

HON. MR. MACAULAY: I have a summary of them. We made this ourselves.

MR. MUNRO: From information given you?

HON. MR. MACAULAY: Yes.

MR. MUNRO: I would like to see it.

HON. MR. MACAULAY: As far as I know, this is all there are.

Q. How far does that go back, to what year?

A. 1926, if you know for sure that that is all.

MR. MUNRO: I might as well read this in. No explanation is given as to what it is for. Roy Saunders, \$211.50. What does that represent?

A. That represents gravel, over a period of about four years.

Q. Entered as what?

A. Teams' time.

Q. York Harper, \$15.

A. That is gravel.

Q. Entered as what?

A. Teams' time.

Q. The Ponsford Construction Company, \$2.75?

A. That is for sand to be used on icy pavements.

Q. Do you know how that was entered?

A. It was entered as teams' time.

Q. Hedley Pow, \$23.75.

A. That was for sand.

Q. Entered as teams' time?

A. Yes.

Q. John Brown, \$21.

A. That was for rental of church sheds, for the storing of sand and snow-fences.

Q. Entered as what?

A. Teams' time.

Q. I believe some of it is entered as labour.

A. I don't think so, I don't know.

Q. Brown will explain that he did not know that was the way the cheque was paid.

Q. D. Lyle, \$5.

A. That is gravel.

Q. Entered as what?

A. As teams' time.

Q. Charles Minor, \$16.

A. He was the Reeve of the Township of Southwold. The Department of Highways had a 2-deck grader leased for the purpose of plowing off the snow in the winter time, and for grading roads where a light grader was not sufficient. They rented this grader at \$1 a day while it was not in use. This man was living



in the township, close to me. I entered it in the books as team time, in payment of that grader, and returned the cheques.

Q. John Orchard, \$50.50.

A. That was for storage. I got directions from the office in London to rent storage to place a carload of chloride that was being shipped there, which the contractors were intending to use. That was in November, and the work was closed down before the chloride arrived, consequently we had to get storage for that chloride.

Q. That was entered how?

A. As teams' time.

Q. Fred Abbott, \$18, and Frank Silcox, \$50.

A. We had to set his fence back and make a detour along the front of his farm. We had to go right into his crop in the field. It was in oats at the time, I think.

HON. MR. MACAULAY: Was that about 1927?

A. It would be about that time.

Q. None of these are since 1930?

A. I don't think so. We had to put crushed stone there. The road got soft, and cars were getting stuck. We drew the crushed stone and placed it there. I think that was the damage arrived at after the detour was closed.

MR. MUNRO: L. Atkinson, \$3.

A. For supplies got from the store, and coal I think used in the heating of the tar kettle.

Q. You entered that as what?

A. Either teams' time or labour, I could not say which.

Q. Silcox, \$50 was damages to his field?

A. Land damages.

Q. Entered as what?

A. Teams' time.

Q. A. Weldon, \$5?

A. That is for stove-wood, purchased to heat the tar kettle for tarring the road.

Q. Entered as what?

A. Teams' time.

Q. W. H. Morrison, \$1.50.

A. He runs a coal business at Shedden. I might have entered it as labour.

Q. C. Overholt, \$5.50.

A. That was for gravel.

Q. But entered as something else?

A. Yes.

Q. D. Campbell, \$23.50.

A. That was for expropriation of property. I think we had to set a retaining wall inside this man's fence, over on his property. The arrangement was arrived at.

Q. You entered that as what?

A. Teams' time.

Q. M. McLaws, \$16.90.

A. That is for gravel.

Q. R. Futcher, \$201.25.

A. That was for truck rental.

Q. Entered as what?

A. Teams' time.

Q. Stuart Brown, \$7.70.

A. He was the Reeve of the township that followed Mr. Minor. We wanted the same grader, a two-team grader. If you look at your list, you will see Minor was the same. Mr. Brown was the Reeve that followed him in the same municipality. We leased the grader from the same people, but this man was the Reeve at that time.

Q. You entered that as what?

A. Teams' time.

Q. E. Styles, \$10.

A. Work and material; it was partly labour, to build a fence in front of his farm. The Department was supposed to furnish him with a fence and material, he hauled his own fence from Lambeth and drew his own gravel for setting the cement for the anchor posts.

Q. That is entered as what?

A. Teams' time.

Q. E. Napper, \$5.

A. He runs a service station at Talbotville, in front of a garage. There had been a chopping mill, he took the building down, and there was a foundation about three feet high. He wanted to get rid of it, and the Department purchased the concrete for the purpose of building up a wall to keep the shoulder from slipping on No. 3 Highway. We gave him \$5 for it, knocked it down and drew it away from there.

Q. For which he got how much?

A. Five dollars.

Q. That is entered how?

A. Teams' time.

Q. — Mahoney?

A. J. Mahoney was exactly where this concrete was used.

Q. Five dollars is the amount.

A. We expropriated part of his property. The creek came down alongside the highway and caused the shoulder to slip. We went across his property with the creek and paid him \$5 for the privilege. We built the cement up to stop the water from cutting the shoulder.

Q. B. C. Turville, \$6.25.

A. That was for coal used under the tar kettle for tarring the road.

Q. Entered as what?

A. Teams' time.

Q. A total of \$704.10?

A. Yes.

EXHIBIT No. 25: Summary of attached labour sheets.

Q. Now these, coupled with the other four, Ross, Pow, Brown and Fife,

are the only items of purchases, rent or whatever it may have been that are shown as teams or labour; you say they were all properly incurred, and that you received nothing personally from them?

A. No, sir.

Q. All these other payments then shown in the pay-lists which you returned, are correct?

A. Yes, unless there might be a few more than what are listed.

Q. We will not complain about a few small ones.

HON. MR. MACAULAY: We have gone carefully over hundreds and thousands of cheques in the last few days.

MR. MUNRO: I am turning now to the pay sheet for the month of July, 1932, No. 85406, for the first half of July of that year. It shows John R. Gunning twice and contains \$52 paid to you as foreman and \$39 for your truck. Is that correct?

A. In 1932?

Q. Yes, 1932.

A. May I look at it?

Q. Certainly.

A. At this particular time the truck was working on steady time.

Q. The \$39.00 is correct for your truck, do you say that?

A. I will wait until I see the original.

Q. I am going to ask you about the next following one.

HON. MR. MACAULAY: We will produce the original.

MR. MUNRO: In speaking to Smith this morning, the best I could give him as to the productions I would like to-day would be the sheets indicating the witnesses who are going to be produced here other than John R. Gunning.

A. In July my truck was struck by another truck, and it had to go to the garage, I think for one and a half or two days, and I used my own car in lieu of this truck. We were cutting weeds, and the car could carry all the tools, and it might have been at that particular time that my truck was being repaired. The Department lost nothing through the transaction. I was at just as much expense for the use of my car as for the truck.

Q. You hesitated to answer the question. I said, I suppose it is correct? What is your answer? Is it for your truck? I will go this far with you: Is it



true that during the period of July, the first period in July, your truck was in the garage of Mr. McCallum for repairs?

A. I could not swear to the date, but I think it was about that time.

Q. From the 12th or 15th of that same month you were using this car in lieu of the truck?

A. Yes.

Q. The car was performing the service of a truck?

A. The car was performing the same service as a truck would have been performing.

Q. What size of a truck?

A. A ton and a half.

Q. What kind of a car was it?

A. A sedan car.

Q. Of what make?

A. A Chevrolet.

Q. You can tell me the capacity?

A. I cannot recollect, but I think it was one and a half tons, and it was either a day and a half or possibly two days before the repairs were completed.

HON. MR. MACAULAY: Q. Would it be two days?

A. It might be.

Q. Would it be two weeks?

A. No, it would not be two weeks.

Q. Have you the bill somewhere?

A. No, I do not think I have.

MR. MUNRO: Q. The sheet shows \$36.00 instead of \$39.00?

A. Yes.

Q. Can you tell me about the second period of July?

HON. MR. MACAULAY: I will ask him, how much were you getting for your

truck at this time? I think the rates had gone down. How much were you getting for a truck per day?

A. Thirty cents an hour.

MR. MUNRO: The other sheets show \$36.00. This is going back as far as May, 1932. I will go back farther still. They seem to be running pretty consistently around \$39.00 and \$36.00. Here is one in March.

HON. MR. MACAULAY: They might do very well at thirty cents an hour.

MR. MUNRO: The rates were consistent throughout that whole period.

HON. MR. MACAULAY: That is right.

MR. MUNRO: Q. You did not think it would be right to put more than a day or a day and a half, or rather you did not think it would be laid up more than a day or a day and a half in the garage? If it had been there ten days or two weeks, you would remember that?

A. I certainly would.

Q. That is not the fact?

A. That is not the fact.

Q. Now, over the period from the 16th of July to the 31st of July, 1932, you show Truck, \$39.00. Was your truck in use during that period?

A. In 1932?

Q. The second half of July, 1932.

A. I cannot remember exactly, but I think likely it was.

Q. Did you have it painted at all during that month?

A. It was painted at the same time the repairs were done.

Q. How long did it take to have it painted?

A. It did not take very long.

Q. Can you tell us how long?

A. I think the man painted it while he was waiting for the repairs to come for the truck. I don't think it was held up, as far as the painting was concerned. I think he painted it while waiting for the repairs to the damage that was done, the spring and stuff that was broken. He did not paint the body of the truck, he just painted the cab, the radiator and the fenders.

Q. I have taken your answer that the truck could not have been away more than a day and a half.

A. I did not swear to a day and a half, but it was a short time.

Q. I will allow you whatever latitude you want. You will not quarrel with what the books of the garage man will show?

A. I don't think so. He will tell you what is true.

HON. MR. MACAULAY: Q. You say that while your truck was in the garage, the passenger car which you had at the farm was used for some purpose?

A. Yes.

Q. Was it carrying the tools just the same as the truck would have been doing during the weed-cutting season? The Department was not deprived in any way, and was just as at much expense during that period as if the truck had been in use?

A. I might have drawn a load or two of gravel. The truck was not supposed to be drawing gravel twice a day at thirty cents an hour for the Department.

Q. What were they paying you?

A. During a stated time, thirty cents an hour.

Q. For how many hours a day?

A. Ten hours a day.

Q. And for each working day?

A. Three dollars a day. That is what it was.

Q. These pay sheets, referring to No. 64757, the period for the first half of January, 1929, show your son, Elfern, running with a team. Did he actually use a team there, or was that when you were putting it in for truck purposes?

A. What was the date again?

Q. The first half of January, 1929.

A. He actually used the team. I did not own a truck then.

Q. You first got your truck when?

A. In August of 1929.

Q. So that it is fair to put it this way, to shorten matters up—

A. There is the date of the payment for the truck.

Q. It is fair to put it this way, that for the period from the first day of January, 1929, to the first day of August, did you say?

A. It was in August.

Q. To August, 1929, wherever either one of your son's name appears on these pay sheets, he or they actually worked on the highway and used the team?

A. Yes.

Q. In that very connection, Mr. Gunning, if more than one of your sons' names appear after the first day of August, 1929, coupled with yours, it is actual team work—that is the description?

A. Which dates?

Q. After the first of August, or whatever date it was in August you purchased the truck, if more than one of your sons' names appear on the pay sheet, they actually then used their team or contributed labour and were entitled to receive their money?

A. I had to put two teams on before the truck.

Q. I am speaking of the period after August, 1929, when you purchased the truck.

HON. MR. MACAULAY: From that time on they had two teams to represent the truck.

MR. MUNRO: I will put it this way: If after the purchase of the truck in August, 1929, by yourself you show more than two teams in the names of your son and yourself, then that team actually drew and contributed labour?

A. Yes, if there is more than two teams shown, but there is not, I don't think. If you will show me the book or a sheet I can explain it.

Q. On your sheet No. 68085 for the period from the 15th of August, 1929, to the 30th of August, 1929, you show Howard Gunning, Team, \$33.00, and you also show Elfern Gunning, Team, \$46.75?

A. Yes.

Q. Is that the truck or actually the team?

A. What were the dates?

A. August 15th to August 30th, 1929.

A. That was just at the time I purchased the truck.

Q. I should not think it would be the truck, because the amounts are different.



A. They are different in many cases. Sometimes the trucks just worked half a day, and the entry was made for a day's work for the team.

Q. It is strange that you did not compute the total time of your truck and put in \$33.00 in Howard's name and \$33.00 in Elfern's name, if that was the fact.

A. If the truck worked five hours I put it down.

Q. You were keeping the correct time the truck was used?

A. Yes.

Q. You had to divide it by two?

A. Yes. I put in team's time, the equivalent of the truck rental at \$1.10 an hour.

Q. Surely I am not confusing you? I am trying not to do that.

A. I am saying that they are unlike in a great many cases; where the truck worked half a day or five hours, I would put down a team for ten hours that same day.

Q. You would get the aggregate for that half of the month?

A. No, for that particular day. Perhaps the next day the truck worked ten hours, and there would be two teams entered for that next day.

Q. You carry out for instance under Howard's name the last half of August, 1929, sixty hours?

A. Yes, sir.

Q. And you carry out for Elfern for team a total of eighty-five hours, in all 145 hours?

HON. MR. MACAULAY: Q. Why didn't you divide it equally?

A. That is the reason, because it would amount to half hours in a great many cases, and would require a lot more figuring up. Perhaps I should have done it that way, but I did not.

MR. MUNRO: Q. Did either of your sons during the period from the first of January, 1929, work almost consistently for one Glover, a farmer in the neighbourhood? Do you know Glover?

A. I know a man by the name of William Glover at Fingal, but I don't remember my sons ever working for him.

HON. MR. MACAULAY: Is he one of the witnesses here to-day?

MR. MUNRO: He is supposed to be.

Q. Do you know Stuart Brown?

A. Yes, sir.

Q. He is not one of those you have excepted as having sold to?

A. We rented a two-team grader from the township through him as Reeve of the township.

Q. You show the item here as \$7.70?

A. Yes.

Q. There was another payment made to him of \$7.50? What was that for?

A. That was for the renting of a garage, I think, in both cases.

Q. So that there ought to be added to this another \$7.50?

A. I did not say that.

HON. MR. MACAULAY: Q. Who was the previous Reeve?

A. Charles Miner.

Q. You may have got it under another name?

A. These are the men who received the cheques.

MR. MUNRO: Q. Do you know Wesley Ross?

A. Yes, I know him.

Q. Is that the \$5.00 you spoke to me about?

A. Yes.

Q. Is that all the money he ever received from the Department?

A. That is all I know of, unless it was continued on, but that is all I remember of.

Q. Did you ever suggest to him that he give you liberty to use his name in the Department records, so that you could get paid for your team when using your truck?

A. From whom?

Q. Wesley Ross?

A. I did not suggest any such thing. I suggested to Mr. Wesley Ross that I could rent the Shedden church shed, and he submitted to it.

Q. That was the \$5.00 you spoke to me about?

A. Yes.

Q. Do you know Milton Napper?

A. Yes.

Q. Is he the same person as the E. Napper on Exhibit No. 25?

A. It should be Milton Napper, I think.

Q. You explained to me that that \$5.00 paid to him was for what?

A. For a concrete foundation that we broke down and drew away from his property. We wanted the material to place a dry wall to hold up the bank.

Q. You did make some other payments to Napper?

A. I think he is down there for lighting lanterns; he is a labourer.

Q. There are several of these payments. Were any others made to him?

A. Not that I remember.

Q. Do you say that every payment made to him was a regular payment?

A. I say that. There was value received for every payment given to him.

Q. You have a Futcher here for \$201.25?

A. That is for truck rental.

Q. B. C. Turville is a coal and wood merchant at St. Thomas?

A. Yes.

Q. He is down for \$6.25. You have explained that that was for, what?

A. Coal.

Q. Harold Clark, do you know him?

A. Yes.

Q. He is not one of those who were entered as a teamster but contributed something else?

A. He drove Futcher's truck. He went up to his brother-in-law's, he had been labouring I think the previous day, or some time previous, and I think part of that pay was allowed on that day.

Q. The day he is entered as a teamster was for Futchter. Was it only one day he worked?

A. No, it wasn't only one day he worked, but there was only one day he came driving Futchter's truck as I remember it.

Q. You show him as a teamster?

A. Yes, in that case.

Q. What rate did you pay him?

A. Futchter's truck was getting \$1.50 an hour.

Q. Was that the regular rate at that time?

A. Yes, with a driver with the truck.

HON. MR. MACAULAY: How much without a driver?

A. My own truck drew \$1.10 at the start. That was arrived at because it was the price of two teams on the invoices. I think my truck drew one dollar an hour.

Q. Subsequently it dropped to thirty cents an hour?

A. Yes. There was some difference in the work done. One day I spoke to Mr. Macpherson, when we were drawing stuff a long distance, and we got \$1.25 an hour.

Q. Jordan was entered on the pay-rolls?

A. Yes.

Q. He contributed service either as a labourer or a teamster?

A. I think he did as a teamster.

Q. But he is a labourer?

A. Yes.

Q. And received the money?

A. And received the money.

Q. E. P. Boughner?

A. He was a labourer on the road. Referring back to Jordan, I think in one case or two cases previous to my having the truck was for a team hired, he had a horse and a team. I think I allowed him for his horse; it was cheaper then.



Q. When was that?

A. Before I had the truck.

Q. Why not your own team?

A. Mine was not on the road that day. If I had gone and got somebody else's I would have had to pay them for half a day, for an hour and a half's work. I know there was an occasion or two like that, which I thought was good policy.

Q. What about Etheridge Styles?

A. I explained that to you. He is on that other list.

Q. What about Wentworth Styles?

A. He drew some gravel, furnished gravel in front of his property. The grade of the shoulder was down, in front of his house. He asked me why I did not fix it. Every time he or his wife went out they had to go through this hole, and it was dangerous. I told him to go on and draw the gravel himself and I would pay him for it. He did the actual work, he drew the gravel and improved the road in front of his own place. It was the highway in front of his own place.

Q. You never paid him for anything else?

A. I did not pay him for anything he did not do.

Q. Either in contributing work or labour in drawing gravel to the highway?

A. Yes, sir.

Q. What about C. Overholt, a teamster?

A. He is there too. There was some gravel taken out of the creek.

Q. Did you ever endorse, yourself, or have any of these cheques endorsed by any person other than the persons to whom they were made payable?

A. Not that I remember.

Q. You remember, don't you?

A. I endorsed my own cheques that were payable to myself.

Q. But other than payable to you, to whom were they made payable?

A. I don't know.

MR. BAIRD: Q. You gave Mr. Munro particulars of twenty-two items of payments aggregating \$704.10?

A. Yes.

Q. A charge for team's time or labour?

A. Yes. That is what it totals up to.

Q. All the individuals on that list were local men, were they not?

A. Yes.

Q. So that as far as you knew, they were anxious to get their payment as soon as possible?

A. They certainly would be.

Q. How much longer would it have been if they had had to wait?

A. There is two or three months difference.

Q. Had that not really to do with the placing of them in the team time?

A. That is what I understood was the custom carried on previous to my time.

Q. You did not inaugurate the system?

A. I did not.

Q. You just carried it on?

A. Yes.

MR. MUNRO: There are a large number of witnesses here, Mr. Chairman, and I think they can be disposed of in a moment or two. Will you call one or two, to see what we can do with them.

THE CHAIRMAN: Well, I would like to follow it up after lunch.

MR. MUNRO: I think we can finish with these gentlemen from Talbotville, if we take an hour and a half before the House resumes.

HON. MR. MACAULAY: I suggest that we adjourn until half-past one.

(At 1.00 p.m. the Committee adjourned until 1.30.)

## AFTERNOON SESSION

NORMAN MILLIGAN, sworn. Examined by MR. MUNRO:

Q. Where do you live, Mr. Milligan?

A. Payne's Mills.

Q. What is your occupation?

A. Farming and trucking.

Q. You are not in the employ of the Department of Highways?

A. No.

Q. And have not been?

A. I never have been.

Q. Do you know James R. Gunning, the foreman of the road in Division  
No. 2?

A. Yes.

Q. Do you know his two sons, Howard Gunning and Elfern Gunning?

A. Yes.

Q. Do you know both of them?

A. Yes.

Q. Do you know what either one of them or both have been doing since  
the 1st of January, 1929?

A. Howard has worked with construction companies.

Q. Which construction companies?

A. He took my truck off the Johnson Construction Company. I am not  
sure what year that was. They were paving No. 3 up to Morpeth.

Q. That is not the road his father is foreman of?

A. No. This was a construction company.

Q. Do you know whether during the period from the 1st of January, 1929,  
until the present, he has ever worked on the highway of which his father is  
foreman?

A. I have never seen him.

Q. Do you know what his occupation is and where he has been working for any considerable period during that time?

A. He has been a train operator at Port Stanley, I know that.

Q. Do you know the Glovers?

A. Not personally.

Q. You are acquainted with the Gunnings. How well do you know them?

A. We have lived in that part of the country for thirteen years.

Q. How far away from where the Gunnings live?

A. About three miles.

Q. You told me in answer to my question that to your knowledge neither Howard nor Elfern have worked on the highway of which their father is foreman?

A. I said I never seen Howard working.

Q. What about Elfern?

A. I have not seen Elfern working on the road either.

Q. Were you in close touch with them?

A. In 1930, all that summer I had a contract on the Lambeth pit for the township, and was up and down that road every day, and never saw either one of them.

Q. During the whole of 1930?

A. During the summer months.

Q. Can you go back to 1929 for me?

A. I have been up and down the road quite a bit, and never saw them working.

Q. Did you ever see one of them driving teams or trucks, working on that highway?

A. Never.

MR. GUNNING: I admitted my sons did not work on the road after I purchased the truck.

MR. MUNRO: Q. What are you doing now, Mr. Milligan?



A. I have done nothing all winter.

Q. You are just living at Payne's Mills?

A. Just staying there. There is no work to get.

Q. You have lived there for some time?

A. Yes.

Q. How far away is that Lambeth pit from where Mr. Gunning is foreman?

A. It is right on the same highway.

Q. I was directing your attention to the year; from the 1st of January, 1929, to the end of that year, what were you doing?

A. Just trucking.

Q. On what road particularly?

A. That year I was job trucking, I was all over.

Q. What about this particular road?

A. I was not up and down that road any more than any other road.

Q. Can you estimate for me how many times a day, or anything of that nature?

A. Maybe once or twice a week would be all I would cover that road.

Q. In that year what do you say as to whether Elfern or Howard Gunning were driving trucks doing road work?

A. I never seen them.

Q. That was during 1929. You know James R. Gunning?

A. Yes.

HON. MR. MACAULAY: Q. Favourably?

A. I have lived there and talked with him several times, spoken to him lots of times.

Q. Did you know the late Mr. H. Pow?

A. Yes.

Q. Do you know whether or not he had or had not a gravel pit?

A. He had a sand pit.

MR. MUNRO: That's all right.

Cross-examined by HON. MR. MACAULAY:

Q. You are one of the six whom Mr. Gunning claims have been slandering him and libeling him?

A. Yes.

Q. What is your answer?

A. I say yes.

Q. You got a letter from Mr. Leitch?

A. Yes.

Q. Did you bring it with you?

A. No, I did not.

Q. You got a subpoena to bring all your papers?

A. I did not get the subpoena until to-day. I just got it a few minutes ago.

Q. Who asked you to come down here?

A. Cameron Sutton called me and told me about it.

MR. MUNRO: Q. Were you one of the five that came in the car?

A. Yes.

HON. MR. MACAULAY: What did the letter from Mr. Leitch ask you to do?

A. It asked me to call at the office within five days.

Q. Mr. Gunning tells me that one of the statements complained of was that you said Gunning had paid the Department a large sum of money to hush this thing up?

A. That was talked over in the service station.

Q. Did you ever make any statement like that?

A. I might have repeated it in conversation.

Q. What did you do when you went into Mr. Leitch's office in reply to that letter?

A. I did nothing.

Q. What did you tell Mr. Leitch, that you had not made any such statement?

A. I don't believe he asked me that question. I don't just remember whether he asked me that question, I forget. If he did ask me what was said about Mr. Gunning, I told him as near as I could.

Q. What had you told about Mr. Gunning?

A. The same as I did here.

Q. What was that?

A. That he falsified pay sheets.

Q. Grafting?

A. No.

Q. Did you charge him with theft?

A. No.

Q. Did you never hear that he paid money to a dead man?

A. Just what I saw in the paper. I never said it.

Q. What did you see in the paper?

A. Something about paying a dead man.

Q. That is recently?

A. Yes.

Q. You do not know of any money that Gunning took that did not belong to him?

A. No, I do not.

Q. You did not charge that he took any money that belonged to anybody else?

A. No, and I never did.

Q. You are not very friendly with him, you are not bosom pals?

A. I never had a row, or anything.

Q. You say that you did not see either Howard or Elfern Gunning on the

road working, in 1929; you would not say that they might have been working and you not see them?

A. In 1929 I was not on the road every day.

Q. You were along the road once or twice a week?

A. Yes.

Q. If a man was hauling gravel he might not be on the road, he might be off in the gravel pit?

A. Surely.

Q. So that he might be working and you not see him?

A. I did not see him.

Q. But he might have been working on the road or in connection with the road and you not see him?

A. Yes.

Q. Mr. Gunning wants me to ask you if you made the statement that Gunning had paid \$5,000 back to the Department?

A. It was talked over in the service station.

Q. But did you ever make that statement?

A. I do not believe I did.

Q. You do not believe you did?

A. No, it was talked over amongst three different men.

Q. You were one of those who were talking it over?

A. I was.

Q. A three-cornered conversation?

A. Yes.

Q. Somebody made the statement that Gunning had paid back to the Department \$5,000?

A. That was the first I heard about it.

Q. Who were you talking to on that occasion?

A. I don't know, just exactly.



Q. Tell us who the other two were?

A. Mr. Styles and Neal Sells.

Q. And yourself?

A. Yes.

Q. Was there another man?

A. Ellis Peardar, I believe.

Q. Who else were there?

A. That is all I remember that evening.

Q. Somebody made the statement that he had paid back \$5,000 to the Department?

A. It was talked about. I could not tell you who made that statement.

Q. You do not know whether you made that statement or not?

A. That is where I heard about it.

Q. You know now that there is no truth in any such statement, do you?

A. I do not believe so.

Q. I beg your pardon?

A. I do not believe there is.

Q. You do not believe there is any truth in that statement?

A. I don't believe Mr. Gunning did.

COLIN MCCALLUM, sworn. Examined by MR. MUNRO:

Q. Mr. McCallum, what is your occupation?

A. Garage man.

Q. Where do you live and carry on business?

A. Talbotville.

Q. During the summer of 1932, in the month of July that year, did you do any repair work and painting to Mr. Gunning's truck?

A. I believe it was that time.

Q. Have you your book showing the entries?

A. No, but I remember doing it. I do not remember the date.

Q. How long was it in your garage?

A. It would not be over three days.

Q. For being repaired?

A. Yes.

Q. What do you say as to the painting?

A. I just did that while I was waiting on the main leaf for a spring. A main leaf was broken in the spring, and the tail light and a few other things. It was not a big job at all.

Q. We are told that it was in there seventeen days?

A. It was not.

Q. I asked you to bring your book?

A. That was not on the subpoena.

Q. When did you get your subpoena?

A. This morning, in London.

(The names Cameron Sutton, Harold Glover and William Glover were called.)

MR. MUNRO: If there are none of the others here, from the evidence I got this morning it might not be necessary to call them, because I got evidence from the statements that the money was expended for other things than labour and teams. That is what these witnesses were prepared to say, and they can go: Futchter, Ross, Napper, Stuart Brown, B. C. Turville and Harold Clark.

HON. MR. MACAULAY: I would like you to call them, because you are charging that money has been grafted by Gunning. If you are going to carry your charge out you are going to prove that these men got the money.

MR. MUNRO: You have already admitted that the money was paid for other things than what is on the time sheets.

HON. MR. MACAULAY: You said that money had been grafted by this man Gunning, and you have to show graft through these witnesses.

MR. MUNRO: I am prepared to call Cameron Sutton.

HON. MR. MACAULAY: Will you admit that they got these sums in that statement?

MR. MUNRO: I will admit they got those sums for purposes other than labour or teams. That is what you admitted.

HON. MR. MACAULAY: This is the first time you have admitted that they got that money.

MR. MUNRO: If Mr. Sutton is here, we can go on with him. I have asked for the two Glovers and for Sutton.

ROBERT COPELAND, sworn. Examined by MR. MUNRO:

Q. Mr. Copeland, you were the Pastor of the Talbotville United Church?

A. Yes.

Q. I am producing to you Exhibit No. 19. There are two cheques attached, made payable to John Brown. Did he have any connection with your church?

A. Yes, at the date of both these cheques Mr. Brown was Treasurer of the church and Treasurer also of the Trustee Board.

Q. These cheques we understand were for the hire of the shed of the church for storage purposes?

A. The shed was used by the Highway Department with our permission at these rates.

Q. Do you know whether John Brown knew that he was entered as a labourer for the amounts represented by those cheques?

A. I don't know what John Brown knew.

Q. Do you know as a matter of fact that that is the way they were entered?

A. We have no knowledge of how the Department would be doing its bookkeeping.

Q. John Brown is not here to-day?

A. I believe he was in the city this morning.

Cross-examined by THE HON. MR. MACAULAY:

Q. You are the Pastor of this church, or were at that time?

A. From July 1st, 1927, to June 30th, 1930.

Q. Mr. Brown was the Treasurer, and Mr. Gunning was also a member of the Board?

A. Mr. Gunning was a Steward on the official Board, and I believe a Trustee on the Trustee Board.

Q. And this arrangement was well known to the Pastor and the Board, this rental?

A. It was discussed at the regular meeting.

Q. Was there any discussion as to these cheques being made payable to Brown?

A. I am prepared to say that these moneys went into the church treasury and never left it except for church purposes.

Q. Mr. Brown knew that?

A. I am sure Mr. Brown would say that, and would say nothing to the contrary.

Q. He made an affidavit which appeared in *The Globe*, that Gunning had grafted these moneys. Do you ever read *The Globe*,

A. Occasionally. It is not as good as it used to be.

Q. Here is what *The Globe*, says: "Highway Funds Misused." There was no misuse of these funds that went to your church?

A. I am quite sure that there was no misuse in any of these funds in those three years.

Q. "Alleged Graft by Foreman." Was there any graft as far as you know by any foreman of any of these moneys?

A. None.

Q. "\$4,930 in Cheques Paid for No Work." These moneys were paid not for work but rental for the sheds. "Other Persons Who did Nothing or Persons Who Were Dead Received the Money." Your church is not dead or was not dead?

A. No.

Q. Is this (showing Exhibit No. 24 to witness) the printed annual report of your church for the year ending December 31st, 1930?

A. My successor's name is there; he succeeded me on July 1st.

Q. Rent from the Department of Highways?

A. Yes.

Q. Is Exhibit No. 23 your church record?



A. Such records were kept year after year.

Q. Were these receipts entered in the regular way in your church records?

A. You will see that these run weekly, givings family by family, week by week. At the back you might find something to show where this would come in. There is \$5.00, that is for 1928. This one seems to be 1928. It would be from January to December, 1928. You will find from the Highways, \$5.00. Mr. Brown was very careful in all these matters, and I think every year's records would show that same thing.

Q. He had charge of these books?

A. Yes.

Q. Is that his handwriting?

A. I think so.

Q. Where is there any entry for 1929?

A. I imagine there might be two or three entries here. The Department of Highways, 1930, \$5.50. I think you will find it all through, every cheque here is \$5.00, \$5.50 and \$5.50. That is three out of the four. Mr. Brown would not be a party to receiving cheques like that and misappropriating the funds.

Q. Nobody is blaming Brown for anything; he is blaming Gunning for certain things.

A. I think you will find that he was under a misunderstanding.

HON. MR. MACAULAY: I think so too, if he ever gets here. Thank you, Mr. Copeland.

MR. MUNRO: We have neither Sutton nor McCallum nor either of the Glovers here.

HON. MR. MACAULAY: If Mr. Munro hasn't any witnesses, I think when we have brought these men long distances we ought to hear what they have to say.

WILFRID FIFE, sworn. Examined by THE HON. MR. MACAULAY:

Q. Mr. Fife, were you working on the roads in Gunning's patrol at any time?

A. Yes.

Q. How often?

A. I worked all the year 1927, and off and on until 1929, and part of 1930.

Q. There have been produced here in these proceedings two cheques pay-

able to you, one for \$40, and another for \$37.40, for which you did not do any work. How did they come to be made payable to you?

A. He came over to me—

Q. Who is “he”?

A. Jim Gunning, and asked me if it would be all right to send the time of the truck in in my name.

Q. What did you say?

A. I said it was all right.

Q. You were not a party to anything you thought was wrong?

A. No.

Q. What happened to those cheques when they came through?

A. They came to me, I endorsed them, and handed them back.

Q. Is that all you know about it?

A. Yes.

Cross-examined by MR. MUNRO:

Q. Where do you live, Mr. Fife?

A. Talbotville.

Q. On whose farm?

A. John Gunning’s.

Q. Who is John Gunning?

A. A brother of Jim Gunning.

Q. You were living on the farm of John Gunning at the time you were allowing your name to be used in endorsing these cheques?

A. Yes.

Q. For which you did nothing. That is all, thank you.

HON. MR. MACAULAY: In Walker’s letter, which is Exhibit No. 2, he says: “I have put one of his (meaning Gunning) accomplices on his oath. He swears he signed a great number of cheques, but did not get any of the money.”

Q. Mr. Fife, presumably Walker was referring to you. Did Walker go to you and put you on your oath?

A. No, sir, not concerning Jim Gunning anyway.

Q. What did he put you on oath about?

A. We had an agreement. I fed a lot of pigs, and received my money after the pigs were sold.

Q. What was the oath?

A. The oath was that I was to receive my money when the pigs were sold, for feeding my pigs.

Q. Was it an agreement, or an affidavit or an oath?

A. An agreement. He talked me into it, but I had to be sworn to make it lawful.

Q. That is when he started on this affidavit, which culminated a week ago with Mr. Munro here. At any rate, you made an agreement on oath relating to the feeding of some pigs?

A. Yes.

Q. But nothing about these cheques?

A. Nothing concerning the highway nor Jim Gunning.

Q. This could not refer to anybody else but you?

A. No.

Q. Did he discuss those cheques with you?

A. No. I was in there one night in the spring, after seeding time. We were talking about some road foreman up north. He says, "He will get pretty well burned, he sent names in on the pay-bills who did not work." I said, "He can't do anything about that," that Jim Gunning had used my name for that truck, and that is all that was said.

Q. Are you sure that that was not written into the oath you took?

A. That is all that was in the oath, that I was to feed his pigs and receive the money when they were sold.

Q. Did you get paid for those pigs you agreed to feed?

A. No. I sold my grain and bought a bunch of pigs and paid him about two prices to get any money at all.

HON. MR. MACAULAY: Mr. Munro, you do not seem prepared to go on with your case. I might refresh your memory. *The Globe* said that Mr. Boughner was one of three or four who endorsed cheques that seemd to be paid to the same person. Here is Mr. Boughner, if you want to examine him to find out what became of the money, or if somebody stole it.

MR. MUNRO: You go ahead with him, or I will ask this question:—

E. P. BOUGHNER, sworn. Examined by MR. MUNRO:

Q. On pay sheet No. 71917 for the period from—you are shown here as E. P. Boughner, carried out into the column, total number of hours, 110 hours at 30 cents, \$33, and there is a signature opposite, E. P. Boughner. Is that your signature?

A. Yes, sir.

Q. There is another item, E. Boughner, 30 hours at 35 cents, \$10.50.

A. That is census traffic.

Q. Is that your signature?

A. Yes.

Q. You are described in one place as E. Boughner and in another as E. P. Boughner; that means you?

A. Yes.

A. Yes. I might have made a mistake in not putting the letter "P" in there.

Q. But in that half of the month, from April 16th to April 30th, 1930, you did 110 hours at the rate of 30 cents. What work was that?

A. I could not just remember what work that was.

Q. You did another 30 hours at the rate of 35 cents?

A. I was taking a traffic census.

HON. MR. MACAULAY: That was in February, according to Exhibit No. 6, February 1st, 2nd, 3rd and so forth.

MR. MUNRO: Q. You say that that is your signature opposite these items, Mr. Boughner?

A. Yes.

Q. And that you are the E. Boughner shown there?

A. Yes.



HON. MR. MACAULAY: I would like Mr. Boughner to identify his signatures on the cheques, because Mr. Munro is running away from the charge that these cheques were signed by the same person. *The Globe* attributed it to Mr. Boughner. I would like Mr. Boughner to identify his endorsements on the cheques, so I can ask this question:

Q. You have signed this pay list No. 71917 in two places, once for \$33 and once for \$10.50. When you got those cheques did you endorse them and deposit them in your Bank?

A. I could not say as to that now.

Q. You got the money?

A. I got the money all right.

Q. It did not go to Gunning?

A. It did not.

Q. And to nobody else?

A. To nobody else.

Q. I produce a cheque of the Department of Highways drawn on the Canadian Bank of Commerce, of May 6th, to E. Boughner, for \$10.50, endorsed on the back, E. P. Boughner. Is that your signature?

A. That is my signature.

Q. There is another endorsement on it, Harry C. Borbridge. Who is he?

A. A shoe merchant in the city.

Q. You cashed it at his store?

A. I cashed it at his store.

Q. You got the money for it?

A. Yes, I got the money for it.

Q. I will include in the same exhibit a cheque from the Department of Highways dated May 6th, 1930, to E. P. Boughner, for \$33, endorsed on the back "E. P. Boughner." Is that your signature?

A. Yes.

Q. Apparently this was paid at the Bank of Montreal, St. Thomas. Have you an account there?

A. Yes.

Q. That is where you would deposit this cheque?

A. Yes.

EXHIBIT No. 26: Two cheques, Department of Highways, May 6th, 1930, payable to E. P. Boughner.

JOHN GUNNING, sworn. Examined by HON. MR. MACAULAY:

Q. Mr. Gunning, my friend Mr. Munro wanted you subpoenaed and you are here. Did you work on the road at any time, on your brother's patrol?

A. Yes.

Q. What kind of work did you do?

A. I worked with the team mostly.

Q. In what years were you working?

A. 1928 and 1929, the forepart of 1929 and possibly the forepart of 1930.

Q. Have you done any work since 1930 on the road?

A. Not that I remember, unless it would be an extra day.

Q. Did you ever get paid for any work you did not do?

A. No.

Q. Do you know whether James Gunning's truck was on the road between August, 1929, and February, 1930, when the team time controversy came up?

A. Yes.

Q. Do you remember him buying the truck?

A. Yes.

Q. Did his two boys, Howard and Elfern, work on the road at any time?

A. Yes.

Q. How do you know?

A. I worked right there with them.

Q. Hauling gravel together?

A. We were on the grader together. Either one might haul gravel. I hauled with Elfern, but I don't know that I ever did with Howard.

MR. MUNRO: No questions.

HAROLD KNIGHT, sworn. Examined by HON. MR. MACAULAY:

Q. Mr. Knight, where do you live?

A. Lambeth.

Q. Did you do any work on the roads in Mr. Gunning's patrol in 1929 and 1930?

A. Yes, sir.

Q. Were you driving the truck that is in question?

A. Most of the time.

Q. Do you remember when he purchased the truck?

A. Yes.

Q. When was that?

A. In 1928—in 1929.

Q. Midsummer of 1929?

A. That is right.

Q. You know that the truck was in use on the road from then on?

A. Yes.

Q. Whenever it was used did you drive it?

A. Well, yes, most of the time.

Q. Or did others drive it at any other time?

A. I drove it most of the time.

MR. MUNRO: No questions.

HON. MR. MACAULAY: Mr. Munro asked that a subpoena be issued for Mrs. Gunning. I will call her.

MRS. JAMES R. GUNNING, sworn.

MR. CRAIG: Mr. Chairman, we have all the evidence we want.

HON. MR. MACAULAY: I am not conducting this. I am only standing by, making available the information contained in our records. Mr. Munro must

take the responsibility of asking that a subpoena be issued for Mrs. Gunning. I think that is dirty, but that is the way this is made up, nothing but little village tittle-tattle, which the Board of Strategy thought would blow the Government out of Queen's Park.

MR. MUNRO: I want to take this objection in regard to what Mr. Macaulay said, that it was a little bit of tittle-tattle, that I find where the evidence has been directed that there were wrong entries in the book to the extent of what is admitted this morning, that moneys shown for teams and shown for labour were for gravel, for storage and for other purposes than are disclosed here in the Department's own records, and money shown for teams that was for trucking, and so forth. These witnesses were supposed to have made available all the facts. It is evident that the bookkeeping methods as used and as disclosed in these pay sheets gave wrong information. I do not want to ask Mrs. Gunning any questions in view of these facts and the evidence before the Committee.

HON. MR. MACAULAY: Is Mr. Walker here?

MR. J. A. COOMBS: Mr. Walker was here this morning. I brought him as far as the door, but he has gone away.

HON. MR. MACAULAY: We might wait for fifteen minutes. I move that a warrant be issued for his attendance before this Committee. Where did you serve Mr. Walker with the subpoena?

MR. COOMBS: In this room.

HON. MR. MACAULAY: When did you do that?

MR. COOMBS: At twelve noon to-day.

HON. MR. MACAULAY: Have you seen him this afternoon?

MR. COOMBS: Yes.

MR. HARRY PRICE: What did he say?

MR. COOMBS: He did not say he would not come in, but I could not persuade him to come and give his evidence.

MR. PRICE: He was called since?

MR. COOMBS: He was called since, but he was not in the room.

HON. MR. MACAULAY: Did you serve Cameron Sutton?

MR. COOMBS: I notified him last night to be here.

HON. MR. MACAULAY: What about John Brown. Has he been subpoenaed?

MR. COOMBS: I notified him last night.



HON. MR. MACAULAY: We have waited the allotted time. I have consulted with Mr. Munro. It was on the strength of Mr. Walker's affidavits and the sensational charges that he put himself in the position he is in to-day, with his seat at stake as to the veracity of these charges. It is a serious thing from the point of view of Mr. Munro and from the point of view of the Department.

The facts are that Walker was subpoenaed right in this chamber this morning. We adjourned until 1.30. It is now 3.30, and he has not turned up yet. He was found around the corridor a while ago by the man who subpoenaed him, and it looks as if he is deliberately absenting himself to keep his evidence from the Committee. His evidence is most vital. I move that the Chairman, after taking advice from the Clerk of the House, shall issue a warrant or other process to have Mr. Walker here at the opening of our Session to-morrow morning at 10.30. Mr. Munro seconds this motion.

Carried.

HON. MR. MACAULAY: There is one more very good and necessary witness, a Mr. Brown. I do not know whether he has been subpoenaed or not. John Brown is the Treasurer of the church.

MR. COOMBS: He has not been subpoenaed.

HON. MR. MACAULAY: Has he been here to-day?

MR. COOMBS: No, sir, I do not think he has been in the room.

MR. McLAY: I think I can have him here at 10.30 to-morrow morning.

HON. MR. MACAULAY: Let us adjourn until 10.30 to-morrow.

(The Committee adjourned accordingly.)

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## FIFTH SITTING

Friday, March 23rd, 1934, 10.30 a.m.

Hon. Mr. Black in the Chair.

THE CHAIRMAN: The roll has been called. Proceed, Mr. Macaulay.

HON. MR. MACAULAY: Is Walker here? (No reply.)

JOHN BROWN, sworn. Examined by MR. MUNRO:

Q. Where do you live, Mr. Brown?

A. Talbotville.

Q. I believe you are a retired farmer?

A. Exactly.

Q. Also Secretary-Treasurer, or were, in 1929 and 1930, of the Talbotville United Church?

A. Yes.

Q. You made a declaration on the 26th day of July, 1934, which was declared before R. J. Myers, in which you said:

"2. I have had an opportunity of examining pay sheet No. 65655, dated April 2nd, 1929, and covering the period between the Sixteenth of March, 1929, and the Thirty-first of March, 1929, and on said pay sheet I find my name appears as a teamster and as having worked ten (10) hours as such on the Second day of March, 1929, earning therefor the sum of five dollars (\$5)."

The original of this is filed as an exhibit here:

"3. I have had an opportunity of examining pay sheet—"

HON. MR. MACAULAY: I am going to take them up separately.

MR. MUNRO: All right, I will take them up separately.

HON. MR. MACAULAY: I am told that his name does not appear on the pay sheet.

MR. MUNRO: The pay sheet is No. 65655. I was reading this for the benefit of the stenographer, from Exhibit No. 20.

HON. MR. MACAULAY: There are two declarations, one made by Walker, and one by Brown.

MR. MUNRO: I think the pay sheet is an exhibit already.

HON. MR. MACAULAY: Do you mind if I ask a question, or do you want to read the whole thing first?

MR. MUNRO: I am willing to facilitate it in any way possible. May I have a look at the pay sheet?

HON. MR. MACAULAY: Certainly.

MR. MUNRO: There is an error. Pay sheet No. 65806 is the one I had reference to.

HON. MR. MACAULAY: You say now there is a grave error in the affidavit of Mr. Brown. I produce pay sheet No. 65655, and I would like to put it in as

an exhibit. I will ask Mr. Brown to find where his name appears as he swore it did appear, on that pay sheet. (Shows document to witness.)

MR. BROWN: I do not see it here at all.

EXHIBIT No. 27: Department of Public Highways, pay list No. 65655, April 2nd, 1929.

MR. MUNRO: Have you pay sheet No. 65806?

HON. MR. MACAULAY: I have not got it here. I have the other two referred to in the sworn affidavit.

MR. MUNRO: I would like to have that, and then I can proceed with the other, No. 65806 of 1929.

MR. MACAULAY: Here it is. His name appears upon this one.

MR. MUNRO: May I have that marked as an exhibit?

Q. I am producing to you pay sheet No. 65806, and on line No. 7 I find, "John Brown, teamster," and showing the hours of work as ten hours at 50 cents an hour, \$5. Did you do any teaming for the Department, Mr. Brown?

A. I did not.

Q. Did you get any money from the Department?

A. Not for teaming.

Q. Did you know that you were appearing on the pay-list as a teamster?

A. I did not.

EXHIBIT No. 28: Department of Public Highways, pay-list No. 65806, April 17th, 1929, with cheque to John Brown, April 18th, 1929, for \$5, attached.

Q. In what capacity did you think you were appearing on the pay-roll?

A. As a matter of fact I did not know I was on the pay-roll at all.

Q. You did not know you were appearing on the pay-roll at all?

A. No.

Q. Why were you receiving this money, this \$5 item I pointed out to you?

A. The only thing I ever received anything for was for the rent of the church shed of the United Church at Talbotville.

Q. I understand you credited that to the church?

A. I credited it to the church.

Q. You said that you did not know you appeared on the pay-roll and that you did no teaming?

A. I did no teaming.

Q. Then you go on to say in paragraph 3:

"3. I have had an opportunity of examining pay sheet No. 69468 covering the period between November 16th, 1929, and November 30th, 1929, and I find my name appears thereon as having worked ten (10) hours as a teamster on the first day of November, 1929, earning therefor the sum of five and 50/100 dollars (\$5.50)."

HON. MR. MACAULAY: These are all parts of Exhibit No. 20.

MR. MUNRO: You go on farther and say:

"4. I have had an opportunity of examining pay sheet No. 71409, covering the period between March 15th, 1930, and March 31st, 1930, and I find my name appears thereon as having worked ten (10) hours on the 31st day of March, 1930, earning therefor the sum of Five and 50/100 Dollars (\$5.50)."

I am producing these two pay sheets to you, and these two cheques; you are described in each as being a teamster. Did you ever do any teaming during these periods?

A. I did not.

Q. What explanation have you to offer as being on the pay-roll?

A. The only thing is, as Treasurer of the church I received some cheques as I supposed for the rent of the shed. It was brought up at the Quarterly Board meeting, I remember, one time, and Mr. Gunning thought he could give the church some remuneration for their shed, if they were not using it, and they put in their storm-fences or some of them, which they wished to do, also cinders and gravel, to keep them a little bit dry and take them out when it was cold weather, I suppose to sprinkle on the road, and so with the fences. Those cheques were paid as rent for the church shed.

Q. As a matter of fact what period of time would these cheques cover for the renting of the shed?

A. There was no written agreement about that.

Q. What was the oral agreement?

A. It was spoken of at \$1.00 a month, but these cheques were handed in at different times. I think in all I received five cheques, some previous to these. These came in at intervals to pay for the rent of the shed.



Q. Then as a matter of fact each of these cheques represented a period of how long?

A. For five months, five and a half, but it was only a verbal agreement; it was just spoken of that that would be a fair rent.

Q. They were not confined to any period of half months?

A. No, not confined to any period at all.

Q. You said the agreement was \$1.00 for each month?

A. That was just spoken of. There wasn't any real agreement about it.

Q. But it would cover as a matter of fact five months in one instance and five and a half months in the others, computed as team time?

A. Yes.

Q. You say further in your affidavit, at paragraph No. 6:

"6. I never at any time authorized the foreman or resident engineer to sign the required certificates at the bottom of the pay sheets above mentioned, and if the same were signed by them, those certificates were obviously incorrect."

Did you sign any pay sheets at all?

A. I did not. I did not see any pay sheets.

Q. You received these cheques, and these are your endorsements on the back of them?

A. They look very like my endorsement.

Q. You are looking at all the exhibits?

A. Yes. That is correct. Sometimes I sign John and sometimes John T.

Q. You received the cheques and credited them over to the church?

A. Yes.

Q. You did not know that you were described as a teamster?

A. I did not.

Q. Or that these sums were computed at team time?

A. No.

Cross-examined by HON. MR. MACAULAY:

Q. Who first approached you about signing an affidavit?

A. Mr. Walker.

Q. When did you come to Toronto in reference to this present investigation, how many days ago?

A. Yesterday morning.

Q. Did you come down with Walker?

A. I did not.

Q. Have you seen him since you have been here, because we would like to find him?

A. I cannot tell you anything about him. I have not seen him since I don't know when, not this week.

Q. What did Walker come to see you about, an affidavit?

A. I don't think he came to see me for that at all.

Q. When was it?

A. I can't tell you.

Q. How long before it was sworn? You swore this affidavit in London on the 25th day of January, 1934, before Mr. Myers, did you not?

A. I did.

Q. How long before that had Walker seen you about this case?

A. I can't tell you.

Q. About the Gunning matter, would it be weeks, months, or what?

A. Not more than weeks anyway; it was not long.

Q. What did he ask you to do?

A. He asked me if I would sign it.

Q. Did he tell you what he wanted?

A. Yes.

Q. What did he tell you?

A. He wanted to know if I had been a teamster, if I had done any teaming

for Mr. Gunning. I said No, and he asked me if I would take an affidavit of verification, and I said I would.

Q. Did he say that he was going to charge Gunning with grafting and stealing?

A. No.

Q. Did you understand that this would appear in a Liberal paper under the heading of "Highway Funds Misused, Alleged Graft by Foreman"? Did you ever in that conversation or since ever lead Walker to believe that you thought Gunning was guilty of stealing any money?

A. No.

Q. Do you believe that to-day?

A. I can't tell you whether I do or not.

Q. Nobody else can if you cannot.

A. That is a hard question to answer, isn't it?

Q. What?

A. Believing him to be guilty of stealing any money.

Q. Yes.

A. I don't think he stole the money in that way, as far as dollars and cents is concerned.

Q. You know that this money entered on the pay-roll erroneously as team time—you received that money?

A. No, I did not.

Q. You say you did not?

A. I did not receive the money, not for teaming.

Q. But you received the cheques?

A. Not for teaming.

Q. You got five cheques.

A. I got five cheques, if I remember rightly.

Q. You did not turn that money over to Gunning?

A. No, I turned it over to the church.

Q. Exactly; so that none of those five cheques were stolen by Gunning?

A. No. I told you he gave me the cheques and I turned them over to the church.

Q. When you got those cheques you signed for them?

A. I did not sign for the cheques. I signed the cheques before I got them cashed.

Q. You did not sign a receipt for the money?

A. No.

Q. Are you sure of that?

A. Yes. He just handed me a Government cheque, and all I did was to sign them and get the money or give them to somebody else to get it.

Q. When Walker came to you and asked you to make this affidavit, why didn't you add a section to it or intimate to him that you had received money on behalf of the church?

A. Those cheques had nothing to do with teaming. It was teaming I was talking about.

Q. But why didn't you, if you wanted to be frank and honest with a brother trustee of your church, add a clause and say that the cheques you received from the Department were for rental of the church sheds?

A. They did not say anything about church sheds.

Q. But why didn't you put that in and say something about it?

A. I am not keeping books for the Department. Are you asking me for the books of the church?

Q. No, I am asking you about an affidavit which was sworn in London. There was going to be an attack on the character of your co-trustee in the church. That did not make any difference to you at all?

A. Certainly not.

Q. Suppose he did not belong to your church, and you were asked to make an affidavit which was going to be used as a basis for a charge of graft?

A. I did not know what it was going to be used for.

Q. You did not?

A. No. There was nothing about graft in it, that I could see.



Q. Not in the affidavit?

A. That is what I was making. I don't keep your books, and I don't look after your papers.

Q. But there is a charge against your fellow member?

A. I am not responsible for what they put in the papers. Did I put anything in the papers?

Q. No, but you were cunning enough—

A. I don't know that there was anything cunning about it.

Q. Very much so.

A. You may say so, but I do not.

Q. Is it not a fact that you would have ended all this trouble if you had added a clause to say that you received five cheques from Mr. Gunning for rent of the church sheds?

A. I was not asked that.

Q. But wouldn't that be the nice thing to do?

A. I was not saying that.

Q. You knew he was going to be charged with all sorts of things, and there were rumours galore?

A. I had not heard of any.

Q. You had not heard of any charge against his character at all?

A. Not very much. The air, the smoke chokes me pretty nearly.

Q. Other things cause you to choke?

A. I am not used to this kind of smoke business.

Q. You live in a rare atmosphere up there in Talbotville?

A. I won't leave it long, or I won't live so long if I live in a smoky atmosphere.

Q. All I am saying is this, that looking at it in the light of what has happened, don't you think it would have been the proper thing to do to have added a paragraph to your affidavit in which you would have said, "I received five cheques from the Department of Highways for church rental"?

A. See here, Mister, if I charge you with something you have never done

and never thought of doing, and would not do, would you care about it, would you care to be called a teamster working on the highway?

Q. I might.

A. And you might not. I have an idea that you would not like it—and I don't like it.

Q. You resent being classed on the pay-rolls as a teamster?

A. I resent what is not the truth.

Q. Now, as a matter of fact the evidence discloses that what Mr. Gunning was doing was that he was charging up in his pay-lists small items, petty items?

A. I am not supposed to know anything about his books.

Q. You are supposed to know what you got the money for.

A. I know what I got the money for, and I know where it went.

Q. Why didn't you say you got the money from the Department of Highways?

A. What had that to do with it? I get money from Tom, Dick and Harry. Was I going to say that I got money for this or that?

Q. But there was a Liberal conspiracy—were you a party to that?

A. I hadn't anything to do with it.

Q. Aren't you helping the cause along to-day?

A. The cause of right, certainly.

Q. You still think that what you did in the preparing of this affidavit and going to London to have it signed, knowing that it would be used against your co-trustee of the church—you still think that what you did was perfectly right, and you having nothing to regret?

A. I haven't. There is nothing but the truth in it.

Q. But isn't there an insinuation?

A. You asked me to tell the truth, the whole truth, and that is all I am doing, isn't it?

Q. Not the whole truth, you are only telling part.

A. The whole truth, everything I know.

Q. You leave out nothing?

A. I did not leave out one thing.

Q. What I say is this, you left out the significant fact that you had received money from the Department of Highways?

A. I have received cheques from the Department since that. Why didn't I say that I received cheques from the Department of Highways? Why didn't I do that? That is none of your business. If you issue a cheque in my name, or somebody else's name, and that man signs it and hands it to me, I know the Highways Department is good for \$50, or as the case may be, I hand it to the Bank and get the money.

MR. CRAIG: Would you take the cheque if they did not owe you anything?

A. Certainly I would take it, if—

HON. MR. MACAULAY: I thought you were a crusader in the cause of right?

A. When a man puts his name on it and gives it to you it becomes your property, doesn't it?

Q. If we went along a little farther, you might reveal all your business ethics, but we have not time to do that this morning.

The first paragraph of your affidavit contains a false statement, that you have had an opportunity of examining pay sheet 65655.

A. You have the wrong number.

Q. We did not put it down there.

A. And I did not put it there.

Q. But you were anxious to have the thing done correctly. Why didn't you put the right name down?

A. I am not supposed to remember what pay cheque, or the number of it.

Q. But you were reading it over, and would get it right, surely; there is a difference between right and wrong.

A. There is a lot of difference.

Q. A lot of difference when a man of your own congregation is charged with grafting \$3,459 in cheques for no work—that is the charge.

A. Well, is it correct?

Q. It is not correct so far as your five cheques are concerned.

A. He did not give me any work cheques.

Q. Precisely.

A. He did not, precisely.

Q. He gave you cheques for—

A. For what?

Q. For services rendered by your church.

A. This is not for work, this is for the church.

Q. You want to split hairs on a matter of that kind?

A. If they are heavy enough I will split them, and if they are not heavy enough I will not split them.

Q. It is apparent to me that you went to London and prepared an affidavit or a declaration as part of this case which was to be worked up against Gunning; isn't that the fact?

A. I did not know that they were going to bring me down here at all.

Q. You did not?

A. No.

Q. We are bringing anybody down here who knows anything about the case at all. You still think in the light of what you read in the newspapers that you did not owe a duty to your fellow trustee to include a paragraph in your declaration that you had received moneys from the Department of Highways for the church?

A. I certainly did not. I think my business is my own.

Q. You interfere with Gunning's business.

A. I do not.

Q. You did not have to go to London; why did you go to all this trouble?

A. That was my business.

Q. Why was it your business?

A. Because my name appeared in the pay cheques, and I did not do any work or receive any pay for teaming on the roads.

Q. You got your cheques?

A. Not for teaming on the road. I did not know my name was there.



MR. PRICE: Q. Did you ever speak to Gunning about this before making the affidavit?

A. No.

Q. You must have a happy congregation up there?

A. I do not go there.

HON. MR. MACAULAY: Q. Why did you quit?

A. That is my own personal affair. It was not on account of Mr. Gunning.

Q. You do not go there any longer?

A. Very little.

Q. You stay at home?

A. When I feel like it, and then I go somewhere else.

MR. PRICE: Do politics play a more important part in your life than religion does?

MR. MUNRO: I want an answer to the question.

WITNESS: In my life?

MR. PRICE: Yes.

A. It plays very little part in my life, politics don't. I have voted on both sides of the House, as far as that goes.

HON. MR. MACAULAY: With respect to Walker, Mr. Chairman, we have had the Provincial Police outside his room at the King Edward Hotel, but they have not been able to get him. I believe he is being kept away from this session; he has been in the company of Mr. Foley and Mr. Hepburn. I have been told that Walker has been in town for four or five days. Mr. Munro can tell me whether that is a fact or not. It is his business, not mine.

MR. MUNRO: I asked to have him subpoenaed. He was here yesterday, he was not here when called, but an emissary was sent to bring him in. I believe he was here yesterday and was here last night, from information that came to me, and I had expected him this morning.

HON. MR. MACAULAY: He is a funny man to stay away from his bedroom all night, when he knows the police are looking for him.

MR. MUNRO: I am just as anxious as anybody here that Walker should be present, also Cameron Sutton. I do not know whether he has been served or not. Has a warrant been issued? Was it issued last night?

HON. MR. MACAULAY: I have a report from the Deputy Attorney-General as to the procedure. There has never been a case where a witness has refused to appear before a Committee in the last twelve years. I will read the memorandum from Mr. Humphries, the Deputy Attorney-General.

THE CHAIRMAN: I have a copy of it.

HON. MR. MACAULAY: This memorandum reads:

“Memorandum to The Honourable Mr. Black, Chairman, Public Accounts Committee.

“Sir Thomas Erskine May’s book on the law of privileges, proceedings and usages of Parliament, 1924 edition, at page 578, sets out the procedure to be adopted regarding the attendance of a witness to be examined, as follows:

“ ‘The attendance of a witness to be examined before a Select Committee is ordinarily secured by an order signed by the Chairman by direction of the Committee; but if any person should neglect to appear when summoned in this manner, his conduct is reported to the House and an order is made for his attendance at the bar of the House. If, in the meantime, he should appear before the Committee, it is usual to discharge the order for his attendance at the bar.’

“It would seem, therefore, that if this witness has been subpoenaed to attend before your Committee, and he fails to do so, that his conduct should be reported to the House, and the necessary order made for his attendance at the bar of the House.

“I. A. Humphries,  
“Deputy Attorney-General.”

That looks as though the proper procedure is for the Chairman to report to the Speaker of the House the facts and an order will be made then for his attendance at the bar of the House.

MR. MUNRO: I quite concur. I think we had a precedent last year, in connection with an investigation in which the Member for St. Patrick’s and Mr. Waldron were involved. It went to a Committee, I think. That is my recollection of it. I think Mr. Humphries is quite right in his law on the matter.

HON. MR. MACAULAY: I would suggest that the Chairman report to the House at its Session this afternoon the facts in this case, and that we procure an order for the attendance of Walker at the bar of the House.

MR. MUNRO: I would like to second that motion, as I seconded the motion yesterday.

THE CHAIRMAN: Is that the pleasure of the Committee? Carried.

HON. MR. MACAULAY: I do not think there is anything we can do except

adjourn until Monday morning. But that is a bad day for the out-of-town members. Shall we say Monday, or Tuesday, Mr. Chairman?

THE CHAIRMAN: The Private Bills Committee will meet Tuesday. We had better facilitate matters, and continue on Monday if possible.

HON. MR. MACAULAY: Suppose we say Monday afternoon at two o'clock?

Carried.

(The Committee adjourned at 11.30 a.m. until Monday, March 26th, 1934, at 2 p.m.)

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### SIXTH SITTING

Monday, March 26th, 1934, 2.00 p.m.

Hon. Mr. Black in the Chair.

THE CHAIRMAN: I believe the Clerk has roll checked, so that we will proceed with the inquiry. Who is your first witness?

MR. MUNRO: We might start with the missing Mr. Walker. Is he here? Do you want me to examine him first?

HON. MR. MACAULAY: I think so.

HENRY M. WALKER, sworn.

MR. MUNRO: Q. Your name in full is Henry what?

A. Henry McFarland Walker.

Q. Where do you live?

A. At Talbotville.

Q. Do you know James R. Gunning?

A. Yes.

Q. You have reason to know him, have you?

A. Yes.

Q. How long have you known him?

A. Since the month of March, 1931, I believe, personally.

Q. What was your first contact with him?

A. I met him on the road.

Q. What road?

A. Between St. Thomas and Talbotville.

Q. And what happened? What transpired on that occasion?

A. I was introduced to him.

Q. And did you have any conversation with him?

A. Yes.

Q. What about?

A. Just ordinary conversation.

Q. Did you meet him subsequently?

A. A good many times.

Q. Did you have any differences with him?

A. No, I have not had any differences with him.

Q. Something was said by him about you having rented a house, over which there was some dispute; that he was acting as an intermediary or some such thing?

A. He was not acting as an intermediary at all.

Q. How was he acting—tell us, you are giving the evidence?

A. I had rented a farm from his sister-in-law, Mrs. Barnes, and Mr. Gunning, I believe, wanted to buy the farm, and we had an agreement drawn up, Mrs. Barnes and I, that had not been signed by Mrs. Barnes. One or two nights before, Mr. Gunning came to my place to interview me about this farm; he came along in the evening between four and five o'clock, and he said to me, "I have just come down to see you about that farm." I said what about it, or something to that effect. Well, he passed a remark; he said, "How much do you want?" I said, "I want \$75.00 to give up possession of the place."

Q. Why did you want that \$75.00?

A. I wanted the \$75.00 because I figured that there was that much difference between the financial end of it and what the woman was getting out of it.

Q. Had you gone into possession? You said to give up possession.



A. Yes, I was in possession of the place.

Q. When you say in possession, how? Possession means a whole lot of things.

A. I had started to work to finish a contract under the agreement of the lease.

Q. What contract under the agreement of the lease? We will not go into that in detail, but because it was brought up here I want an explanation, and I ask you how? There are several ways in which you could be in possession of the land. Were you there personally?

A. I was working in the house.

Q. What about your goods and chattels, where were they?

A. I had the material there that I was going to use to do the repair work.

Q. How long had you been in possession?

A. Two days—No, I would not say two days, but about a day and a half, to be correct.

Q. Mr. Gunning came to see you and you had some conversation and some differences, had you?

A. He thought I was getting too much money.

Q. He thought what was too much money? Were you paid anything?

A. I had not been paid anything.

Q. What do you mean he thought was too much?

A. The amount that I wanted for to give up possession.

Q. Then as the result of that, did you give up possession or did you continue on, or what happened?

A. I gave up possession that night.

Q. To whom?

A. Mrs. Barnes.

Q. Were you paid anything for it?

A. I got a cheque for \$50.00.

Q. When was this? You have not given us the date. Can you tell us when that was?

A. Not exactly.

Q. Approximately, then, according to your best recollection?

A. Somewhere between the 18th and the 28th February.

Q. Of what year?

A. 1932.

Q. What was the next occasion on which you met Mr. James R. Gunning?

A. I met him several times on the road.

Q. Was there anything material to this inquiry which transpired in respect to conversations or actions between you?

A. Not a great deal, no.

Q. Then when was the next occasion that you can speak of that is relevant to the slanderous statements which you are supposed to have uttered against him?

A. I met him in the Court House.

Q. Was that before or after this suit was instituted?

A. After the suit was instituted.

Q. After the suit was instituted, then you met him in the Court House, that, I suppose, is the Court House in St. Thomas, is it?

A. Yes.

Q. In the meantime, I believe you had written some letters?

A. Yes.

Q. Exhibit No. 2 is there, if I might see it.

I am producing to you a document, marked Exhibit No. 2 on this inquiry. Is that your letter?

A. That is my letter.

Q. And that is directed to whom?

A. The Superintendent of Highways.

Q. The Superintendent of Highways, Toronto. It is dated September 10th, 1932, but it is marked Received on October 12th, 1932. When was the action started against you for slander, do you know?

A. The 10th of May.

Q. Of what year?

A. 1932.

Q. This is prior to that, then. This letter has already been read into the record. You charge here graft of padding the pay sheets for a number of years, and you say, "Is there any possible method you can use to bring this man to justice?" Then you speak about "I have put one of his accomplices on his oath"—who do you refer to there?

A. Mr. Fife.

Q. Mr. Wilfrid Fife is his name?

A. Yes.

Q. We have heard something in the evidence about the oath that you put him under. Will you describe just exactly what took place in that conversation with Mr. Fife?

A. Well, he told me—

Q. You had better use names here.

A. Mr. Fife told me that he had endorsed a number of cheques issued by the Highway Department and handed to him by James R. Gunning for which he did not do any work.

Q. Did he tell you anything more?

A. Well, there was a good deal—

Q. What did he do with the cheques after he endorsed them, did he tell you?

A. He gave them back to James R. Gunning.

Q. Then you say here, "For further information send your authorized agent to me. H. M. Walker." Now, did any agent from the Department of Highways reach you?

A. Yes.

Q. Who?

A. A man by the name of Brown.

Q. I believe he was here and gave evidence, he is the Accountant, he had an interview with you?

A. Yes.

Q. Tell us about that interview?

A. He asked me who the man was. I told him it was James R. Gunning, and the other man was Fife that took the affidavit.

Q. That does not help us very far. You had a conversation with Brown. He came to you as a result of reports you had made. Now, give us the conversation as nearly as you can.

A. Well, he asked me if I knew—

Q. That is Mr. Brown?

A. Mr. Brown asked me if I knew Mr. Gunning. I said, Yes, I did.

Q. And what else happened?

A. And he asked me if I knew Fife? And I said, Yes, I did. He said, What has happened, has there been a quarrel between Gunning and Fife? I said I do not think so, they are still working between one another back and forward; there does not seem to be any difficulty at all. He said, What does this man tell you that for? What did he take the oath for?

Q. What was that oath, I ask you?

A. The oath?

Q. Yes?

A. "I, Wilfrid Fife,"—as near as I can give it to you—"did in the year of 1930 endorse a number of cheques issued by the Highway Department and handed to me by James R. Gunning for which I did not do any work." That is as near as I can recollect.

Q. And where is that oath—did you have it written or what?

A. I had it written.

Q. Did you have any officer authorized to take oaths take that oath from him?

A. The declaration was written on the back and was taken by the late Mr. McConnell of the City of St. Thomas.

Q. What official capacity did he have?

A. A Barrister and Notary Public.

Q. Where was it taken?

A. It was taken in his office in the City of St. Thomas.



Q. Do you mean that Fife was there present at that time?

A. Yes.

Q. Have you that document?

A. No, I have not.

Q. Do you know where it is?

A. No, I do not.

Q. Something was said here by Fife in his evidence about a bargain which you had with him as to feeding some of your pigs and that no payment was made for these pigs after they were fed. Can you tell us anything about that? Let us clarify the whole situation. You had better give us the evidence here and tell us the story.

A. Well, we at several times had several deals with pigs, traded pigs and traded pigs for grain. I guess we had three or four different transactions—we may have had more than three or four.

Q. Any transaction with reference to pigs at the time of this oath which you speak of in that letter?

A. There was absolutely none in connection with the oath.

Q. We are told that you said to him that to make the agreement with reference to the pigs more binding it had to be under oath. Is that correct?

A. Absolutely not.

Q. You then mentioned, you say, only the Fife matter to Mr. Brown when he came to make the investigation, and you had written this one letter. Did you write any further letters to the Department of Highways?

A. None to the Department of Highways.

Q. To any person? When you say the Department, you mean the Department here in Toronto?

A. Yes.

Q. I am asking you about any of those in authority, the local Superintendent or the Resident Engineer?

A. None at all.

Q. Who else did you write to?

A. To The Honourable Prime Minister of Ontario.

Q. I am referring now to Exhibit No. 1, and as part of that exhibit there is a letter dated December 4th, 1933, to the Honourable the Prime Minister. This has been read into the record; but you are complaining here: "You, of course, have been informed by the Highways Department of the defamation action brought by Highway Superintendent Gunning against myself." This was in October, 1933, I think you have told me, that the action was started in May of that year?

A. Yes.

Q. And your letter says: "This case was not reached at the recent Assize Court at St. Thomas and I felt it very keenly at the time because it was evident to me that Gunning was very pleased over the delay for obvious reasons." Then you go on and refer as follows:

"On giving this matter very serious consideration I consulted Mr. Webster, of St. Thomas, he being of our party"—

Who were you referring to there?

A. The Conservative Party.

Q. "Mr. Webster advised writing the Minister of Highways, which he did." Do you know anything about whether Mr. Webster wrote the Minister of Highways? We had some little explanation about it the other day, and I would like your explanation. Did you see him write?

A. No, I did not see him write. I was just taking his information, and I believe he did.

Q. That was explained here in evidence the other day. And you say: "There does not seem to be an answer forthcoming."

And you carry on and say here that "if this case is allowed to go on the result will be disastrous to our party. It looks to me as if someone will undoubtedly prosecute Gunning and others"—this is a statement you were making. What were the facts upon which you wrote that letter and made that statement in that letter, rather, I should say?

A. On the oath given by Fife, the information got from Fife, and the records of the Highway Department.

Q. Had you had a chance to peruse the records of the Department?

A. Yes, portions of them.

Q. At the time you wrote this letter?

A. Yes.

Q. And did you have information as to anything in addition to the Fife matter, at the time of writing this letter?

A. From Howard Gunning.

Q. What information did you have there?

A. That he did not work on the road in the year of 1930.

Q. If it is only information, perhaps we had not better go into that. I am really trying to restrict you to things which you actually know of your own knowledge. I am restricting you to that; but you say you had certain information and as a consequence this letter was written on the 4th December, 1933?

A. Yes, I would say that.

Q. I want to make it plain to you and I want you to understand that you are on oath and are giving evidence only as to the things of which you have actual personal knowledge and can testify to. Now then, in the course of the proceedings in the action, you did as a matter of fact get answers to both of those letters?

A. From the Prime Minister.

Q. Did you get any further answer?

A. No, sir, I did not.

Q. The Honourable the Prime Minister wrote you on the 16th day of December, 1933, and there is another letter written to you, of which I have a copy, and which forms part of Exhibit No. 1, written on December 15th. It is not on copy paper but paper from the Office of the Minister of Highways, and is dated the 15th December, purporting to be a copy of a letter sent to you, much in the same terms as that of the Premier. Did you ever get that letter?

A. No, sir, I did not.

Q. I do not know that that is of much consequence in any event. Now, in the course of the proceedings in the action, you received a Statement of Claim, which has in part been read into the record, in which Mr. Gunning alleges that you slandered him in saying that Jim Gunning has been stealing money from the Government; he has been padding and falsifying pay sheets—

A. I never made a statement that he had been stealing.

Q. You did not make that statement?

A. No, sir, I did not.

Q. Then you go on to say that he has paid or offered to pay the Government \$1,000 in money in order to save himself from prosecution or arrest?

A. I never made that statement.

Q. In a further pleading which you filed by way of defence and amendment of the defence, you do justify as to the fact of the padding?

A. That was true.

Q. There were certain examinations conducted in the action. Were you present when James R. Gunning was examined?

A. Yes.

Q. Where did the examination take place?

A. In the Court House, in St. Thomas.

Q. And before whom, do you know?

A. Mr. Leitch was his solicitor—

Q. But who was the official examiner?

A. Mr. Cameron.

Q. And did you hear him asked these questions and did you hear him give these answers—I am reading now, Mr. Macaulay, from the examination, question 281 on to 296.

HON. MR. MACAULAY: Whose examination?

MR. MUNRO: Gunning's. Question 281—I had better start at 280. I will read in anything additional you may think explanatory. Have you a copy of this?

HON. MR. MACAULAY: No. Read it out.

MR. MUNRO: "281 Q. Howard, your son, does not own a team at all?

"A. No.

"282 Q. Has not since 1926?

"A. No.

"283 Q. Yet his name went through as having horses on that highway?

"A. Some time during that time he worked.

"284 Q. During that time his name went through the Department records as having owned a team?

"MR. LEITCH (Counsel for Mr. Gunning): You have no right to ask that. You have not put it fairly, and you know it. He has told you that he did not own a team.



"A. No.

"285 Q. In what way did his name go through?

"A. As a teamster.

"286 Q. Clearly indicating, I suggest, that he did own a team of horses?

"A. Indicating the team of horses that he done the work there with, this team of horses.

"287 Q. Well, as a matter of fact, I am told that neither you nor your son ever had horses on the highway since the year 1928?

"A. Who told you that?

"288 Q. Would you mind telling me whether that is a fact?

"A. Since 1928?

"289 Q. Yes?

"A. Well, I can't just tell you, but I think it was a mistake.

"290 Q. Well, in what year?

"A. I think possibly in 1928.

"291 Q. Or early in 1929?

"A. Yes.

"292 Q. But not since then?

"A. No.

"293 Q. I am told that Fife has not worked on the highway since 1928 under your foremanship?

"A. I cannot say as to that either, but I think he did work in the fall of 1928.

"294 Q. But not since then?

"A. Not with his horses, no.

"295 Q. Or on the highway?

"A. No, I do not think so.

"296 Q. Why put in the horses?

"A. Well, he used to work with the team."

Q. Did you hear those questions asked and answer given?

A. Yes, sir.

Q. You were present and you heard Mr. Gunning ask those questions and give those answers?

A. Yes.

Q. I might go two or three questions farther here, anyway, and read questions 297 to 299, inclusive:

"297 Q. Is your answer that he has not worked since the fall of 1928 either with his team of horses since the fall of 1928 or early 1929?

"A. It is pretty hard to answer.

"298 Q. Would you go so far as to say he did not work in 1929?

"A. I do not think he did.

"299 Q. You have already sworn that he did not work in 1930.

"A. I do not think he did."

You heard those further questions asked and those answers given?

A. Yes.

HON. MR. MACAULAY: You remember every word that was said on that examination, do you?

A. Just as it is written there.

Q. You have a mighty good memory, haven't you?

A. Yes, I have.

HON. MR. MACAULAY: Well, we will see shortly.

MR. MUNRO: Q. Now then, Mr. Walker, did this case come to trial at all?

A. Yes.

Q. On more than one occasion? I mean was it on the point of trial on more than one occasion?

A. Twice.

Q. When was the first occasion?

A. November 3rd, I think.

Q. Of what year?

A. 1933.

Q. And what happened?

A. It was laid over until the next Assizes.

Q. Why?

A. Unknown reasons to me.

Q. It was laid over until the next Assizes?

A. Yes.

Q. Was it a jury or a non-jury case?

A. A jury case.

Q. When did it next come up? At that time, I might ask you, did you have any interview with Gunning at all?

A. At the Assizes?

Q. Yes?

A. No, sir, I had not.

Q. You were not talking to him at the November Assizes at all?

A. No.

Q. Then it came up next when?

A. On the 5th March, 1934.

Q. And what happened?

A. It was settled out of Court.

Q. When you say it was settled out of Court, tell me how and what happened?

A. The case was withdrawn and \$150.00 paid my lawyer.

Q. That was Mr. Foley?

A. Yes.

Q. Why whom?

A. By Mr. Leitch, Mr. Gunning's solicitor.

Q. Were there any minutes of settlement signed by yourself or by him?

A. Yes, I had to sign the withdrawal sheet.

Q. An agreement that the case might be withdrawn?

A. Yes.

Q. Did you have any interview with Gunning on that occasion?

A. Yes—not personally, no.

Q. Were you present?

A. I was present.

Q. Tell us where? Give us the pictures, so that we will know.

A. There was Mr. Gunning, Mr. Leitch, Mr. Foley and myself.

Q. Where?

A. In the Barristers' Room in the Court House.

Q. Are you free to tell us what took place there?

A. They talked over a settlement.

Q. When you say "they" who do you mean?

A. At the round table, the two lawyers, and Mr. Gunning interceded two or three times.

Q. What was the substance of that conversation, will you tell me as nearly as you can?

A. Well, my lawyer asked for \$150.00 of costs. They did not come to any agreement on the settlement there.

Q. Was anything said by Gunning with reference to these charges that he made against you, and your insistence that you were speaking the truth in justification that it was lawful for you to say that?

A. Not in that room.

Q. At any time then in the Court House at St. Thomas or around there, at the time this case came to trial?



A. No, not in my hearing.

Q. Your big complaint was about the Fife matter, and you gave the information to the Department, and we have gotten through this lawsuit of yours. Then you made a certain declaration which is filed here as Exhibit No. 20. You speak here of having examined certain records of the Department and having made certain inquiries and finding what you called matters that were not correct all the way through. Where did you make this declaration?

A. At Mr. Foley's office in London.

Q. Did you bring this to the attention of the Department at all, after this declaration?

A. No.

Q. Did you have any conversation with Gunning subsequent to the settlement of the action?

A. No.

Q. We have you, Mr. Walker, as the missing witness. As a matter of fact there was a motion in this Committee that you were in contempt and should be reported to the House and an order made for your presence before the bar, but that was apparently thought unnecessary because of some interview which you had with somebody. Did you have an interview with anybody at all in connection with your presence here to-day?

A. There was a constable.

Q. What constable?

A. Mr. Ward.

Q. Who is he—one of the Provincial Constables?

A. I believe he is.

Q. When did you have that interview?

A. Friday morning.

Q. Where did you have it?

A. In the King Edward Hotel.

Q. Here in Toronto?

A. Yes.

Q. What time of the morning?

A. I could not just exactly tell you what time it was.

Q. You were here on the Thursday previous—I saw you at the door?

A. Yes, I was.

Q. How did you come to be here?

A. I came to the Committee Room here.

Q. Who asked you to come?

A. I was subpoenaed at the door.

Q. How did you get to the door is what I want to know?

HON. MR. MACAULAY: 1820 and still going strong!

MR. MUNRO: You were here at the door?

A. Who brought me here?

Q. Yes?

A. I knew this case was coming off.

Q. Who from—tell us?

A. I talked to my wife over the telephone, and she told me that they had been there with a summons for me.

Q. Where were you at the time you were talking to her?

A. In Toronto.

Q. What did you do? You came here. What time were you served with this summons?

A. I was served with this summons just after the adjournment.

Q. What time?

A. I believe it would be about 11.00 o'clock, wasn't it?

MR. MORRISON: You know what was said a year ago or two years ago on that examination, and surely you remember that.

MR. MUNRO: Q. What time were you served with this summons—you were served by whom?

A. A man by the name of Coombs.

Q. Did you have any discussion with him at all?

A. Not at that time

Q. Did you subsequently?

A. Afterwards, yes.

Q. Where did it take place?

A. It took place out in the hall.

Q. What was the conversation?

A. He came out and said, "I want you to come on in." I said, "What for?" He said, "You are called as a witness."

Q. Why didn't you come in?

A. Well, he did not say—he had no authority that I could see to tell me to come in.

Q. And what happened next?

A. I went over to the telephone booth.

Q. Whereabouts—on this floor?

A. Yes, it is only at the far end of the hall.

Q. What did you do there?

A. I called up my sister.

Q. Where is she—in Toronto?

A. Here in Toronto.

Q. Then what happened after that?

A. The Court was adjourned.

Q. When you say "Court" what do you mean?

A. The Committee meeting was adjourned.

Q. And then what did you do?

A. I went on down town.

Q. Somebody said they watched your room all one night—I do not know what night it was, perhaps Thursday night. Where were you Thursday night?

MR. MORRISON: Perhaps he should not tell.

MR. MUNRO: Q. Were you in your room that night?

A. No, sir, I was not.

Q. Where were you?

A. I was at a friend's place.

MR. MUNRO: I will not ask you, but perhaps somebody will ask you who that friend was?

HON. MR. MACAULAY: Leave that to me.

MR. MUNRO: Q. In any event, you were served again, you say, on Friday morning?

A. Yes.

Q. In the hotel, and said you would be here to-day?

A. Yes.

Q. Now is there anything further that you want to elucidate about these matters under inquiry?

A. At this inquiry?

Q. Yes, about the Gunning foremanship of the road and Residency No. 2.

A. I might—

MR. MUNRO: Perhaps that will come out on cross-examination. What do you want to say?

A. I would like to know how many men retracted by Mr. Gunning's statement on this inquiry.

Q. What do you mean by that? I do not know what you mean, how many men retracted, you say?

A. He said there were four men that he was suing; they had sent letters to six, and the other four of them retracted.

MR. MUNRO: That is something I do not think this Committee is anxious to labour with.

WITNESS: All right.

HON. MR. MACAULAY: Q. Mr. Walker, when did you come to Toronto, this last time?



A. I came to Toronto on Monday last week.

Q. Who did you come down with?

A. I came down by myself.

Q. What room did you register at in the King Edward Hotel?

A. Fourteen hundred—fifteen seventy-three.

Q. Think again. Your memory is good, you gave us your own word for that a while ago. I think the fourteen is all right. Are you sure about the rest of it? What number did you go to when you first came to Toronto? You signed for a room when you went to the clerk of the King Edward Hotel?

A. Yes.

Q. You signed a card, didn't you?

A. Yes.

Q. And you registered for a room?

A. Yes.

Q. What number did they give you?

A. I cannot tell you.

Q. Your memory is fading fast, isn't it, or do you mean to say that you come down from Talbotville to the King Edward so often that you cannot remember the room which they give you?

MR. CASE: His memory has not been refreshed on that point.

MR. MUNRO: Ask him if he has his bill with him?

WITNESS: No, I have not the bill.

HON. MR. MACAULAY: Q. Are you going to get a bill for that room?

A. The room is paid for.

Q. Who paid for that room?

A. I paid for it, I paid for the room.

Q. Did anybody guarantee the payment for that room besides yourself?

A. No, sir.

Q. Then you came down on Monday and you do not know what room you went to?

A. No, I would not swear which number the room was.

Q. You know Mr. Foley, of course, do you?

A. Quite well.

Q. He acted as your lawyer in London on this case?

A. Yes.

Q. He has been acting with Mr. Munro in preparing this case—you know that, don't you?

A. Yes.

Q. And did he have a room near you there?

A. Not on that floor.

Q. He did not have a room on that floor?

A. No.

Q. What was his room number—what number did he have?

A. 1565, I believe, or 1564.

Q. You are wrong again. We will be able to prove these facts, you know. You say Mr. Foley was on another floor to yours?

A. Yes, the first day I was there I was on one floor, and then I moved up to the next one. I checked out and moved up to the next one.

Q. What room did you move to the second day?

A. 1573.

MR. MORRISON: That was the room that you went to in the first place, 1572.

HON. MR. MACAULAY: What was the room which you went to the first day?

A. Fourteen hundred something.

Q. And the room which you went to on the second day?

A. 1573.

Q. What was Mr. Foley's room, on the second day?

A. Either 1654 or 1565.

Q. He was close by you there?

A. He was not far away, no.

Q. And where was Mr. Hepburn's room—on the same floor?

A. On the same floor, yes.

Q. Mr. Foley was on one side of you and Mr. Hepburn was on the other, is that it?

A. Mr. Hepburn was away, about three doors away.

Q. Let us get it correct. You say you were not between them but he was two or three doors away?

A. Yes, sir.

Q. But they were keeping close watch on you, weren't they?

A. They couldn't keep close watch on me.

Q. We all agree with you on that, Mr. Walker; even the Provincial Police could not keep close enough tab on you. Now you came down on Monday, and you moved up on Tuesday into the centre of the board of strategy, Mr. Foley and Mr. Hepburn, and what conferences took place there that day?

A. Between me and Mr. Foley?

Q. Yes, or anybody else—who else has been talking to you since you came down here, about this case, besides Mr. Foley and Mr. Hepburn?

A. Mr. Hepburn never talked to me about this case.

Q. Are you sure of that?

A. Absolutely.

Q. Were you discussing everything else but this case?

A. Mr. Hepburn and I were not together over four or five minutes.

Q. Five minutes, is that the time which you would put on the conversation which you had with Mr. Hepburn?

A. Well, it was not any longer.

Q. And you did not discuss this case, eh?

A. We had not time.

Q. What was more important to you at the time than this case?

A. Mr. Hepburn was going away, going out some place.

Q. What arrangement had you made to talk with him?

A. I had made no arrangement.

Q. The five minutes which you were talking to him and he was going away, and then according to the Liberals these were very, very serious charges, wouldn't he discuss that with you?

A. No, Mr. Hepburn never discussed that with me.

Q. What did you say?

A. I just shook hands with him and talked there for two or three minutes.

Q. What day of the week was that?

A. I do not know when Mr. Hepburn came in.

Q. You do not remember the day, even?

A. No, I had nothing to remember it for.

Q. But you remember ten or fifteen questions asked a year ago word for word, but you cannot remember what happened last week. Don't you think that shows a very fluctuating memory?

A. I do not think so.

Q. Then Monday you came down, and Tuesday you changed your room and you move up with Mr. Hepburn and Mr. Foley. Then what happened next? This case opened. Why did you come down so soon? What was the hurry to come down on Monday? This case was not opening until Wednesday or Thursday, and you didn't want to turn up even on Friday, so what was the hurry to come down on Monday?

A. There was no hurry.

Q. Then why did you come down then?

A. I came down to see Mr. Munro.

MR. MORRISON: Who sent for you?

A. No person.

HON. MR. MACAULAY: Q. Who asked you to come down?

A. Mr. Foley told me to come down.



Q. Were any arrangements made about paying you for any of this work?

A. No.

Q. Did you get any money from anybody?

A. No, sir.

Q. In connection with this case, at any time?

A. No, sir.

Q. Any money you have paid out on it has been paid out of your own money?

A. Yes.

Q. And no promise of any money?

A. None whatsoever.

MR. MORRISON: Q. Where did you eat your meals, at the hotel?

A. I ate them at the restaurant.

Q. Which restaurant?

A. Down at Bowles, just below the hotel.

HON. MR. MACAULAY: You came down on Monday, and you moved up to the next flat on Tuesday, and when did you see Mr. Munro?

A. Monday about half-past five or a quarter to six.

Q. And you went over the case with him, I suppose?

A. Yes.

Q. Then what was the next thing you did in connection with this case?

A. The papers were all turned over to Mr. Munro.

Q. You turned over the papers to him on Monday, then what did you do next?

A. I did not do anything in connection with the case.

Q. You waited around on Tuesday, did you?

A. Yes.

Q. And did you spend Tuesday night in the hotel?

A. Yes.

Q. What happened on Wednesday?

A. I came down here to the Committee Room.

Q. You were here in the Committee Room on Wednesday, and sitting in the body of this Committee Room—you sat inside?

A. I sat inside, yes.

Q. Then what happened on Wednesday?

MR. MUNRO: Wednesday is the day you are asking him about.

HON. MR. MACAULAY: Q. You attended here, and then where did you go?

A. I went back to the hotel.

Q. Then you spent Wednesday night in the hotel, did you?

A. Yes.

Q. Then you came back here on Thursday morning to the Committee Room, did you?

A. No, I did not.

Q. When was it they served you with the first subpoena?

A. On Wednesday, I believe, about eleven or eleven thirty,

Q. You have just told my friend here, earlier, that you were sitting inside the room here on Wednesday morning?

A. That is when I was served with the subpoena by Coombs.

Q. Were you here Wednesday morning?

A. I was here Wednesday morning.

Q. Sitting in the Committee Room?

A. Yes.

Q. And you say it was Wednesday you were served with the subpoena, or Thursday?

A. It was Wednesday.

Q. You are sure of that?

A. It was the day of the opening.

Q. On the day of the opening you were served with the subpoena? That is not a fact, but then your testimony is going to be full of things that are not facts. It is a simple thing to call the man who served you with the subpoena and prove when it was.

MR. MUNRO: Give him the time, place and circumstances, so that he will be able to say definitely.

HON. MR. MACAULAY: Q. On Wednesday, where did you go from the Committee Room, back to the hotel?

A. Not after the first adjournment.

Q. Where did you go?

A. I walked down the street here and came back.

Q. And where did you spend the night?

A. In the hotel.

Q. Then what happened on Thursday?

A. Thursday I did not come up to the Court.

Q. You did not come up to the Parliament Buildings at all on Thursday. Where did you spend Thursday?

A. Around the hotel and on the street.

Q. Why didn't you attend here when you had been served with a subpoena, as you say, on Wednesday?

A. The subpoena only called for the one day.

Q. What day did it call for?

A. It called for Tuesday.

Q. Have you got the subpoena with you?

A. I have not got it.

Q. Where is it?

A. I do not know.

Q. Who did you give it to?

A. I believe I left it in my room.

MR. MORRISON: You are trifling with this Committee.

HON. MR. MACAULAY: Yes, you are. Your testimony so far is just a tissue of falsehoods.

Q. Who did you show that subpoena to?

A. Mr. Foley.

Q. Is that why you did not appear here on Thursday?

A. No.

Q. Why didn't you come up here?

A. I didn't think it was necessary.

Q. Why not? You thought it was very necessary to draw to the attention of the Prime Minister and myself what you claimed was wrong-doing on the part of Gunning, and then when you had a chance to come up here you say you did not think it was necessary for you to appear—is that your honest opinion? Come on, give us an answer?

A. Yes, that is my honest opinion.

HON. MR. MACAULAY: There is not another man in Ontario who would make a statement like that.

MR. MORRISON: Why did you come Wednesday without a subpoena, and then when you got a subpoena you did not come up Thursday—what was the idea?

MR. CASE: Who told you not to come?

MR. MORRISON: Q. You got a subpoena, and why didn't you come up Thursday?

A. It only called for the one day.

Q. It called for Tuesday, and you were here Wednesday, and why didn't you come up Thursday?

HON. MR. MACAULAY: Q. Isn't it a fact that you and Foley talked it over and you were advised not to come here at all?

A. Yes, that is the fact.

MR. MORRISON: Were you drinking on Wednesday?

HON. MR. MACAULAY: No, don't go into those things.

Q. Now we are getting a little closer to the facts, and the closer we get to the facts, the better you are going to come out of this. We want just the truth



and not what Foley told you. If you tell the truth, you will be all right. I have just had the Provincial Police check up on those rooms, and find that they are wrong. I have the exact statement of where you were and the rooms and everything else, and your testimony to-day has been incorrect in every particular and every number. I don't want to make you out to be a perjurer, but I am just telling you what is the fact. When you are, as you are, being used by the Liberal board of strategy to try and damn the character of your fellow-county citizen up there, I want you to think carefully of what you say as I go along in my questions and in your answers, because your statements to Mr. Foley are used as the basis of these charges. You understand this now, don't you?

A. Yes.

Q. When Mr. Munro made his statement, *The Globe* came out the next day and said: "Springing Carefully Collected and Long-guarded Liberal Information, Mr. Munro, M.P.P., for Wellington South, laid the following definite allegations." So that it was quite clear that you have been used, whether willingly or unwillingly I will come to later on—you have been used, whether willingly or unwillingly, in a Grit plot to damn Mr. Gunning's character?

A. No, it is not.

Q. You have given an explanation of the family quarrel you had with Mr. Gunning over this lease of the property of Mrs. Barnes. Isn't it a fact that you asked \$112.50 to quit there? Is that the amount you were requesting? I think that is what Mr. Gunning said.

MR. MUNRO: Seventy-five dollars.

HON. MR. MACAULAY: Q. Didn't you make up a bill showing you were entitled to \$112.50?

A. A little more than that, on the basis of eight months' rent.

Q. In any event you did not get the amount you asked for, but finally compromised at \$50.00?

A. Yes.

Q. Isn't that the time that you developed a personal hostility to Mr. Gunning?

A. No, it is not.

Q. Do you know Mr. Hicks here?

A. Yes.

Q. Is he a neighbour of yours?

A. Yes.

Q. He says that after this quarrel between you and Gunning and you finally had the \$50.00, you said to Hicks, "Hicks, I'll get Gunning yet?" Scratch back in your brain cells of your memory and see if you can remember that conversation. Do you remember that?

A. I may have said that I would be even with him yet.

Q. And you used those words, "I will get Gunning yet?" Hicks would not lie about that. Those are the words you used, aren't they, Mr. Walker?

A. Something like that.

Q. That being the case, then you started out to make allegations about Gunning's character, and the first letter you wrote, you said that you had put one of his accomplices on oath—I am reading from Exhibit No. 2. Now, the accomplice was Mr. Fife there, was it?

A. Yes.

Q. And you had put him on oath, that means to say that you had put Mr. Fife on oath, is that right?

A. Well, he had taken his oath.

Q. He had taken an affidavit?

A. Yes.

Q. I want to see that affidavit?

A. I have not got it.

Q. Where is it? Because, remember, before you answer, Fife says he never made such an affidavit. Where is the affidavit?

A. That affidavit was handed to Fife's wife.

Q. Why wouldn't you keep an affidavit like that? They say there never was such an affidavit. Do you mean to say that you got an affidavit from Fife, putting him on oath, and then handed the affidavit back to his wife?

A. He asked me to allow his wife to read the affidavit.

Q. And they kept it, did they?

A. She kept it.

Q. And is that the oath that you are talking about in this letter of October 10th?

A. Yes.

Q. And their answer is that they never made any affidavit and there never was any affidavit about the matter. Now are they telling the truth or are you telling the truth?

A. I am telling the truth, so help me God.

Q. At any rate, you have not the affidavit. Don't you think it was your duty to lay an affidavit like that, when you were laying the charges, before the Department?

A. I did not think that man Fife would double-cross one man and then turn around and double-cross another.

MR. MORRISON: You admit he was double-crossing Gunning, do you?

A. I think he was. I think when he had put his signature to an affidavit he was telling the truth.

HON. MR. MACAULAY: Q. He says he has told the truth all the time, and that you are the one who is not telling the truth. Now, if you wrote that letter to the Superintendent of Highways, and the evidence shows the Provincial Police made an investigation with Mr. Brown, the Accountant of the Department of Highways—Mr. Brown came to see you, didn't he?

A. Yes.

Q. You gave the evidence as to the Fife cheques?

A. Yes.

Q. You had no evidence and there was not any evidence to show that that money was taken for which no value was given, had you?

A. No, I had no evidence.

Q. The Province was never defrauded of any money by virtue of that irregularity of bookkeeping, was it?

A. I cannot tell you.

Q. You have gone to the trouble of allying yourself with Liberal politicians intent on making serious charges, yet you cannot say yet whether the Province was defrauded of any money by Gunning or not?

A. That information was given to the Highway Department for them to find out.

Q. You did not know whether there had been any fraud or not? As a matter of fact, Fife told you what it was for, didn't he?

A. Yes.

Q. He said that the truck had been used and that his name had been put in for the team time, didn't he?

A. No, sir, he did not.

Q. Didn't Fife explain to you why his name had been used?

A. No, sir, he never told me, at that time nor at any other time that the truck had been used.

Q. And that these names had been put down for teams instead of a truck?

A. No, he did not.

Q. That was not told you at that time?

A. No, sir, it was not.

Q. That is what Mr. Fife told us here the other day.

A. It was not his statement to me.

Q. Again it is your word against his.

Is that all right, Mr. Fife?

MR. FIFE: I told him that the truck was used and my name was down for the team.

Q. Did you ever understand that?

WITNESS: No.

Q. If you had understood it, would you ever have made those serious charges?

A. No, I would not.

Q. So that this big mare's nest simmers down to this, then, Mr. Walker, that if you had known that Fife's name had gone in as team time for truck time that had honestly been earned by Mr. Gunning, you would not have made these serious charges at all?

A. I could not have.

Q. We have now had proved in this case that that is what has taken place. You learned that during the proceedings in the slander action, didn't you?

A. Yes.

Q. Then what have you got to-day against your fellow townsman of the



character of James R. Gunning after that explanation. There didn't remain any charges of graft or stealing, or theft, did there?

A. No, there has not.

Q. So that so far as those charges are concerned they can be wiped off the slate?

A. With the exception of falsifying the entries.

Q. There is no doubt that there were irregular entries in the pay-lists?

A. Yes.

HON. MR. MACAULAY: He keeps looking down at you.

MR. MUNRO: And I keep looking up at you. I am trying to keep my eye on you and listen to the answers.

HON. MR. MACAULAY: Q. The irregularity was in giving Fife's name for teams, when in reality the money was being paid for a truck of Gunning's. That is the sole irregularity in connection with those items, is it not?

A. Yes.

Q. That being the case, Mr. Walker, why did you hand all this sheaf of papers to the Liberals so as to bring this charge in the House?

A. I did not hand nothing to the Liberals.

Q. Well, who did?

A. I do not know who handed it to the Liberals.

Q. Who took this affidavit of yours, sworn to last January 26th? That was prepared obviously for a Liberal propaganda at a future time. It does not refer to this case and had nothing to do with the case, because the evidence was going to be given in person. Why did you make out this affidavit of January 26th and deliver it to Mr. Foley?

MR. MUNRO: That affidavit is really a declaration.

HON. MR. MACAULAY: Q. Why did you make that out?

A. For the purpose of handing it to the Committee or whoever would handle it here in the House.

Q. I am pointing out that you were taking part in a political enterprise, then, last January. You are travelling in a circle. A while ago you stated as a fact that you knew during the course of this trial last January that there had been no fraud and no dishonesty, and I am asking you why you delivered to Mr. Foley this declaration on the 26th of January for use in the House.

MR. MORRISON: Which was after the time you knew there was no fraud.

HON. MR. MACAULAY: Why did you do that? Who put the pressure on you to do it?

A. There was nobody put pressure on.

Q. Why did you do it? Did they overpersuade you?

A. No, it was not overpersuasion.

Q. Why was it, because you can see now it was not fair to Gunning, was it?

A. As far as falsifying the pay sheets, it had to do with Gunning.

Q. But you had had an explanation from Fife, and it was shown in the examination for discovery what that was for. Why did you need to go on with any charges down here? Were you still trying to get even for the grudge, a personal matter?

A. No.

Q. Because you said you would get Gunning, you know, and you have not got him yet?

MR. MORRISON: Q. That affidavit is more than falsifying the pay sheets, is it not—that declaration?

MR. MUNRO: It speaks about their incorrectness, that they were not correct.

MR. MORRISON: Q. You had an explanation of that, hadn't you?

A. No, I had not.

MR. MUNRO: As far as that is concerned, to be fair, it was only as to Fife. We have many more matters to show it was entered for teams, when it should not have been on the pay sheets.

HON. MR. MACAULAY: Q. You wrote a letter, which is Exhibit No. 1, to the Prime Minister. Who helped you or suggested some of the wording on that?

A. My solicitor.

Q. Who was that?

A. Mr. Foley.

Q. I knew these words were not a layman's words. As a matter of fact he drafted it out for you, and then you wrote it out on your own letterhead, wasn't that it?

A. Part of it was and part of it was not.

Q. Can you tell me the part that he wrote out for you to sign?

A. No, I cannot.

Q. That old memory is slipping again?

A. No, it is not at all.

Q. Can you tell me what part Mr. Foley wrote out for you on that page?

A. I think about the first three paragraphs, three or four, something like that.

Q. And you showed it to him before you sent it in, didn't you?

A. No, I did not.

Q. Didn't you?

A. No.

Q. Did he send down to you a typewritten copy of what you were to write, or how did you settle the form of it?

A. There were notes taken in the office.

Q. He gave them to his stenographer, did he, and they were typed, and then handed them to you and you incorporated them in your letter?

A. Yes, that was incorporated.

Q. Now, did you ever tell Mr. Munro or anybody else that money had been paid to dead men?

A. No. There was a mark put on the pay sheet, and it was the inference from the pay sheet that the man was dead.

Q. What man did you have in mind?

A. Mr. Powell.

Q. Mr. Powell died last August, didn't he, and he has not received any money for the last three or four years from the Department.

MR. MUNRO: He died in 1932.

HON. MR. MACAULAY: Q. When did he get the money from the Department?

A. I believe it was in 1929.

Q. Then they could not have been paying anything to a dead man, could they?

A. No.

Q. Don't take so long to answer the questions. I agree with you. And did you ever tell Mr. Munro or anybody else that money had been paid to non-existent or fictitious persons?

A. I would not swear whether I did or not.

Q. It is getting hard to get information from you as we go along.

MR. MORRISON: Q. Do you know of any money being paid or being on the payroll in a non-existent or fictitious name?

A. On a fictitious name or a non-existent, neither.

HON. MR. MACAULAY: In your declaration sworn on the 26th January, 1934, which is part of Exhibit No. 20, you mentioned a conversation which you had with John Brown, of Talbotville?

A. Yes.

Q. And these charges were accompanied by a declaration of Brown in which he tried to insinuate that there had been graft. Didn't you know, as the result of your conversation with Brown, or otherwise, that money had been paid to Brown for rent of the church sheds down there?

A. Yes.

Q. Wasn't that a perfectly obvious explanation of why Mr. Brown was down on the pay-lists for \$5.00, \$5.50, and \$6.00?

A. But that was not for work that he had done.

Q. Exactly, but you did know that he was entitled to and did get money for rental of the church sheds?

A. Yes, sir.

Q. Why didn't you add that in a paragraph, when you were talking about your conversation with Mr. Brown and that he had never worked in the Highways Department—why didn't you say that he was Secretary-Treasurer of a church which was entitled to \$5.00 or \$5.50, or \$6.00 for rent every six months? Wouldn't that have cleared it up?

A. Not as far as the falsifying was concerned.

Q. It would have cleared it up as far as the public apprehension of graft of any money was concerned, wouldn't it?

A. Probably it would.

HON. MR. MACAULAY: That is all.



MR. MORRISON: Q. You stated that you wanted \$75.00 to move off the farm, is that not right?

A. The first of the bargain was that I wanted half of the amount estimated at six months.

Q. You stated first that you wanted \$75.00?

A. Yes, I did, and I came down.

Q. That is not right, the first was \$112.00, or somewhere in that neighbourhood, isn't that right?

A. In the first place it was more than that.

Q. Then you were not right when you said \$75.00 in the first place?

A. Yes, I was.

Q. Tell us the whole story.

A. There was an agreement—

Q. How much did you ask for at first?

A. I believe it was \$140.00 and some odd; and I split it right in two.

Q. One hundred and forty dollars?

A. Yes.

Q. Then you came down to \$75.00?

A. Yes.

Q. Who did you make that agreement with, the woman?

A. Yes.

Q. Then I believe without any agreement a cheque for \$50.00 was sent to you, was it not?

A. She and I talked it over and I refused to take less than \$75.00, and Mr. Gunning came to our place—

Q. Then Mr. Gunning came in?

A. Yes.

Q. And what did he do?

A. We talked this matter over, and he said that \$75.00 was too much.

Q. And what did you say?

A. I said, "She has offered me \$50. What would you do in this case?" He says, "I would take the \$50.00."

Q. And what did you say?

A. I said, "All right, I am a good gambler and a good sport, and I will take it."

MR. GUNNING: I told you that you could take it within two minutes, and you took it.

MR. MUNRO: One at a time.

MR. MORRISON: Q. At any rate, at that time Gunning said he would take \$50.00?

A. Yes.

Q. And after that time you said you had hard feelings in reference to Gunning?

A. No, I did not say that.

Q. And yet you went and told Mr. Hicks that you would get him, but you didn't have any hard feelings, is that right?

A. It was not hard feelings.

Q. What would you call your feelings towards him, that you went to a neighbour and told that you were going to get him? What did you mean by the words "get him"?

A. I did not use that word. I said I would get even with him.

Q. Why did you say you would get even with him, if you had no hard feelings toward him? Does that require an awful lot of study?

A. No.

Q. Then why won't you answer?

A. Well, there was a certain amount.

Q. Why did you swear there was not any hard feelings?

A. There was not really any hard feelings, to bring it up to the point where there was any trouble.

Q. There was hard feelings, then, wasn't there? Make up your mind to the point and stick to it. There was hard feelings, wasn't there?

A. Well, then, there was hard feelings.

Q. And you did go to Mr. Hicks and told him you would get even with him, or words to that effect?

A. There were statements used to that effect, yes.

Q. And this is the method you employed, wasn't it? It must have been. I am asking you an absolutely obvious question. This is the method you employed to get even with Gunning, isn't that right? Wake me up, when you answer.

A. To a certain extent.

Q. To what extent? You are qualifying your answer and I want to know your qualification—to what extent?

A. Well, then, there was hard feelings.

Q. You have answered that question. Then this was the method you employed to get even and pay Mr. Gunning back for what he did, is that right? You said to a certain extent, and I want your answer now, yes or no?

A. Yes.

THE CHAIRMAN: Is that all, Mr. Morrison?

MR. MORRISON: Q. Did you produce a copy of an oath by Mr. Fife, on the examination for discovery?

A. I did.

Q. Where is it?

A. I do not know. It is on the Registry, is it not?

Q. Was it an original or a copy?

A. It was a copy.

Q. You do not know where it is?

A. No.

HON. MR. MACAULAY: You did not have it at all—it was a fake, what you had in your hand, wasn't it?

A. Absolutely not.

CAMERON SUTTON, sworn:

MR. MUNRO: Q. Your name is Cameron Sutton?

A. Yes.

Q. Where do you live?

A. Talbotville.

Q. Do you know James R. Gunning?

A. Yes.

Q. Do you know his son, Howard?

A. Yes.

Q. Do you know his son, Elbern?

A. Yes.

Q. How long have you known them?

A. Practically all my life.

Q. How far away from them do you live?

A. Oh, the biggest share of my life about a mile.

Q. About the period 1929, 1930 and 1931?

A. About two miles.

Q. And whereabouts with reference to the road which Mr. Gunning is foreman of?

A. Living about a mile off the highway.

Q. What is your occupation?

A. I was a farmer.

Q. Are you still?

A. Yes.

Q. Did you know anything about the work that has been done on that road by any of the individuals since 1929 on?

A. Yes, I do.

Q. Do you know that James R. Gunning is the foreman?

A. Yes.



Q. What opportunity did you have to observe the work that was going on on that highway and the individuals who were doing it?

A. I was travelling the road.

Q. How frequently do you travel that road?

A. In 1929 I travelled it practically every day.

Q. Do you mean during the whole of the calendar year 1929?

A. No, practically all winter up until the first of April, and from the first of June until the first of September, and then from the first of October on.

Q. Do you know whether Howard Gunning ever worked on that highway?

A. I would say he did not.

Q. During that period 1929, 1930 and 1931?

A. Yes.

Q. What about Elbern Gunning?

A. I would say that he did not too.

Q. That is to your knowledge?

A. Yes.

Q. And you have told us the opportunities that you had to know?

A. Yes.

Q. Have you had any conversation with the father or either of the two sons with reference to the work that they had done on the highway?

A. No, sir.

Q. You are speaking now from your own observation and knowledge?

A. Yes.

Q. And you say that neither in 1929, 1930 or 1931, neither Howard nor Elbern worked on the highway?

A. No.

Q. Do you know what they did do during that time?

A. Elbern was farming.

Q. Whereabouts?

A. On his home farm.

Q. Is that the father's?

A. The father's farm.

Q. What about Howard?

A. Howard was away working for contractors.

MR. MUNRO: Thank you.

HON. MR. MACAULAY: Q. Mr. Sutton, when did you come to Toronto this time?

A. Thursday morning.

Q. You did not come down earlier than that?

A. No, sir.

Q. And what room did you occupy at the King Edward Hotel?

A. I think it was 1472 or 1473, something like that.

Q. Who occupied that room with you?

A. I had it alone.

Q. Where was Walker's room?

A. I could not say.

Q. Was it on the same floor?

A. No, I do not think so.

Q. Did you see him down there at all?

A. I saw him in the hotel.

Q. Were you talking to him?

A. Yes.

Q. About this case?

A. No, sir; not very much.

Q. Who arranged to have you come down?

A. Mr. Coombs came to me about half-past six on Wednesday night and told me I was wanted in Toronto on Thursday morning.

MR. MUNRO: You never saw me before?

A. No, sir.

HON. MR. MACAULAY: I am not holding it against you.

MR. MUNRO: If you had that in your mind, I wanted it cleared up.

HON. MR. MACAULAY: Q. As far as I know there is no claim for Howard or Elbern Gunning ever working on the road after the summer of 1929. There may have been an odd day now and again, but nothing of any account.

MR. MUNRO: Do you remember, after August, 1929?

HON. MR. MACAULAY: I do not remember of any. If you can bring any on the record, I will be glad to see it.

Q. Any time after August, 1929, they were not working on the road. If their names appear, it is as a charge for the truck of Mr. Gunning's. But up to August, 1929, you say they did some work personally on the road?

MR. GUNNING: Yes, and the books will show.

HON. MR. MACAULAY: Q. You would not dispute Mr. Gunning, who was foreman and kept the time for his sons in the early part of 1929, if he says they actually did some work on the road, would you?

A. In the early part of 1929, no, I cannot say that I would.

HON. MR. MACAULAY: I would like Mr. Munro to say whether that is his last witness or not.

MR. MUNRO: I furnished the Clerk on the 21st day of March with the names of certain witnesses. Prior to that, I think on the 20th day, I had furnished him with a larger list of witnesses; but those whom I wished to examine at the first meeting of this Committee, I have gone through that whole list, having reference to the letter of March 21st, and then some of those other witnesses. I may say that you, Mr. Macaulay, made admissions that they had sold gravel, rented sheds or sold coal, and so on.

HON. MR. MACAULAY: Then you have no further witnesses to call?

MR. MUNRO: No.

HON. MR. MACAULAY: Then I would like to call Mr. Hicks in reply.

WILLIAM HICKS, sworn:

HON. MR. MACAULAY: Q. You are William Hicks?

A. Yes.

Q. What is your occupation?

A. Farmer.

Q. Where do you live?

A. On No. 4 Highway.

Q. Near Talbotville?

A. Right adjoining the village, the first farm north.

Q. How long have you lived there?

A. Oh, about all my life.

Q. And you are familiar with Mr. Gunning, the foreman of the patrol there?

A. Yes, sir.

Q. You know Mr. Walker as well, I suppose?

A. Yes.

Q. You heard me ask Mr. Walker as to a conversation you had with him after the dispute arose between Gunning and Walker about Mrs. Barnes' property?

A. Yes, sir.

Q. Where did that conversation take place?

A. In my brother's stable.

Q. Who were there?

A. My brother was in there, but he was in and out and was not paying any attention to the conversation; and he was hard of hearing and would not have heard it, if he had been there all the time.

Q. Was there anybody else there?

A. No, just the two of us.

Q. Then the only persons who heard the conversation were yourself and Mr. Walker?

A. Yes, sir.

Q. What was Walker doing there that day?



A. He often came across to my brother's, which adjoins where he lives, and I happened to be there getting the corn binder as he came in.

Q. And what brought up Mr. Gunning's name in the conversation?

A. I do not know just how it came around, but he brought it up. He had brought it up different times in the summer.

Q. He had a lot to say about it in the neighbourhood, hadn't he?

A. I understand so.

Q. And can you fix the date of the conversation?

A. No, I could not say, but it was just in corn-cutting time.

Q. What year?

A. The fall before last.

Q. That would be the fall of 1932?

A. Yes.

Q. And he told you, did he, that he had not got what he was entitled to from Gunning?

A. That he had not got what he had asked for.

Q. He did not even say he was entitled to it?

A. No.

Q. That he had not got what he asked for?

A. Yes.

Q. What else did he say to you?

A. He said about like the speech he made here; he said he would take it, but he struck his hands and said, "By God, I'm going to get even with him."

Q. I think "get even with him" are the words he used himself. That is all.

MR. MUNRO: No questions.

HON. MR. MACAULAY: That is all.

Now, Mr. Chairman, this brings to an end this mare's nest. I think Mr. Munro's statement to the public of this Province should be that he was misled or used into saying things—

MR. MUNRO: I did not make that statement, did I?

HON. MR. MACAULAY: I think he was used to give publicity to things which turn out to be entirely contrary to the information given to the Legislature.

We have it on the strength of the Liberal organ, *The Globe*, which is attested to by the number of prominent members of the board of strategy who were in the House to hear Mr. Munro's speech. And it is customary in a case of that kind, I think, to give notice to a Member or Minister against whom charges are being laid. I had no notice of it. I was sick at home with the "flu" that night, but if I had had notice I would have been there to answer it at once.

I think Mr. Munro has pledged his position as a Member of this House, his seat, on proving that highway funds were misused, that there were payments made to dead men, that there were payments made to fictitious and non-existent people, and that a number of cheques were forged in that they were endorsed with the same signature.

MR. MUNRO: No, I did not say that.

HON. MR. MACAULAY: You and I are good friends, but we are dealing with this as a political matter.

Big headlines went out to all the Province of Ontario, and I want to get as unmistakeably a clearance as I can to-day. I am asking Mr. Munro, in view of the facts which came out, and which Foley and Walker knew and which the others knew before it came to you, that they exploded the thing before even they handed to you the thing to explode in the House.

We have had an investigation by the Provincial Police. We knew that there were irregularities in bookkeeping methods of the patrol; but we also knew and had a report from the Provincial Police, which is in as an exhibit, to show that there was not a dollar of graft and that the Province was not defrauded of anything and that there was no dishonesty. That being the case, I think Mr. Munro should withdraw all those serious charges which formed nearly half of the front page of *The Globe* of March 16th, 1934.

MR. MUNRO: Mr. Chairman, it is unfortunate that the Honourable the Minister of Highways was not in the House when I made the statement that I did. I had no knowledge that he was not there. I may say that may be a courtesy due him was overlooked, owing to the fact that he perhaps was not forewarned; but in any event, I perhaps myself did not know that that night I was going to be called upon to do what I did on the material which I had before me.

Furthermore, as the Minister has said, he was absent from the House by reason of sickness. We are all subject to the ills of humanity, and I am sorry he has been ill, and am glad to see him back here and able to go on with this investigation.

I do not think that this investigation was unwarranted. I think it has served a good purpose. It may be that the evidence adduced here has not supported to the full the charges that I levelled, but it has disclosed, may I say,

primarily this one fact, and that is that the foreman on a certain division in Residency No. 2 was not only employing himself through the names of other people, particularly his sons and then again one Fife, certifying to the correctness and having the Resident Engineer pass that on, and then having it come down here to the Provincial Auditor. And when you find the instance of an employer and an employee coupled together, that is one who is acting as a foreman on the road employing himself, it gives rise to very grave suspicion; and further than that it opens wide the door for all sorts of fraud and all sorts of dishonesty.

And we find also—I will not fix the number at twenty, but more or less of the people who are entered on that pay-roll as having contributed labour or having given teams in the service of the Department of Highways, when in reality they were selling some product, such as coal, sand, gravel, or were receiving rent for a shed, or some such thing as that.

All those methods not only open wide the door to all illegal and wrongful practices, such as fraud and dishonesty, but they leave the entire matter in the hands of the foreman, who is supposed to have control of the job, and who certifies on to his superior, and his superior forwards it on to the Auditor.

As to the dead man, Mr. Powell, we do not want to resurrect him from his grave. We are told that while he was entered as a teamster, he in reality sold sand.

I think, if you will read it, and as I believe they were understood in the House, it was that these moneys were paid where no labour was given.

As to the cheques being signed by the same person, I refer to the two Boughner cheques.

HON. MR. MACAULAY: You said no labour. But the people informing you at the time knew that if labour had not been given, commodities or other values were given.

MR. MUNRO: Why were they not so described here?

MR. MORRISON: They knew and you knew.

MR. MUNRO: No. As a matter of fact Brown was incensed, because he was put in as a labourer, whereas it was for rent of church sheds.

As to my having made the allegation that cheques had been signed, I think I said "in the same writing." We find on the pay sheet in as an exhibit E. P. Boughner, and later on E. Boughner; and it turns out in the evidence that they were the same person, and the cheques were signed by the same person. Those are the two cheques I had reference to, and you (The Hon. Mr. Macaulay) were the one who by reason of the question you asked, led me on to the inquiry and to have that marked as an exhibit.

I have no regret as to the statements that I made. I think that the work of this Committee on this particular matter has not been in vain; I think it has

disclosed, as the Honourable the Minister of Highways has admitted himself, irregularities; and we still find here, in the employment of the Department—

HON. MR. MACAULAY: No, they are four years old. I think there is not one of them comes down past 1929.

MR. MUNRO: I think you find a truck described as teams past 1929.

HON. MR. MACAULAY: May, 1930.

MR. MUNRO: I am speaking of that period.

HON. MR. MACAULAY: You spoke of abuses coming down to the present time.

MR. MUNRO: You were correcting me as to 1929, but I knew that they existed since that because of Mr. Gunning's evidence and the facts that I got there.

I find now that there is very little difference except that you now invoice trucks as such. While you explained to me and this Committee that there was no column in the pay sheet for a truck, there is no material difference except that at the bottom you carry down \$36.00 or \$39.00, whatever it may be.

While this Committee may make a report, I feel that I have been justified in the work I have done. I feel that this Committee has done real work and that we have discovered something.

HON. MR. MACAULAY: Not beyond the last four years.

MR. MUNRO: This Committee, as we sat here, are not allowed to go behind 1933.

HON. MR. MACAULAY: And you have not discovered a dollar of fraud?

MR. MUNRO: But your pay sheets were absolutely false and were open for all sorts of fraud.

HON. MR. MACAULAY: And there was work given for every dollar paid out.

MR. MUNRO: Not as for teams, and I think not for sand or gravel, or whatever it was.

HON. MR. MACAULAY: I think you ought to withdraw. Nothing was paid out for which there was no value given.

MR. CASE: You said that there was money paid to a dead man. There was an imputation of dishonesty.

MR. MUNRO: I said money had been paid to a dead man for which no labour had been rendered, and that is exactly the fact as it turns out.

HON. MR. MACAULAY: But that is not the fact as your Auditors understood.



They understood you charged that money was paid to a man who was dead at the time the payment was made. Is not that the inference they took out of it?

MR. MUNRO: They may have taken inferences, but that is not what I said. I say that the names on the pay sheets, as for teams where there were no teams was as dishonest as anything could be.

MR. MORRISON: Do you say, Mr. Munro, that your disclosure gave the Department an opportunity to put their accounts in good shape? They were in good shape long before that?

MR. MUNRO: I wanted to find out why these people were down as teamsters, while as a matter of fact they were not teamsters at all.

HON. MR. MACAULAY: Did they tell you that the money was for truck rent?

MR. MUNRO: I did not know it was for truck. That it was —

MR. CASE: And there was no fake.

MR. MUNRO: The witnesses say that it was paid for value received, but I have shown that money was paid out for teams, which was not for teams.

HON. MR. MACAULAY: I still say that the charges have not been borne out as you made them and as interpreted by Liberal papers who were friendly to you.

MR. MUNRO: I can only say this, in response to what Mr. Macaulay says, that the regular thing will be for the Committee to make the report back to the House and let it be dealt with there. I am not prepared to withdraw it, Mr. Macaulay; you have given me an opportunity, thanks.

HON. MR. MACAULAY: The Public Accounts Committee usually makes the report of the list of witnesses and the papers. I do not think a report is made on matters referred to the Public Accounts Committee.

I think if the Chairman prepares a report in which there will be a list of the witnesses examined, a copy of the evidence, and a list of the exhibits in this and all the other matters coming before the Public Accounts Committee, that will carry out the usual practice of the Public Accounts Committee.

MR. MUNRO: I think so.

HON. MR. MACAULAY: I will move that the Chairman prepare a report for this and the other matters raised.

MR. MCQUIBBAN: We are not through yet. We were delegated to go down perhaps on Wednesday. We will not be able to get our information until to-morrow morning, Mr. Chairman.

HON. MR. MACAULAY: Wednesday is running it pretty close. I think you had better go down to-day and meet again to-morrow morning.

MR. MCQUIBBAN: Yes, all right.

(Committee adjourned to meet again to-morrow, Tuesday morning, at 10.30 a.m.)

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## SEVENTH SITTING

Tuesday, March 27th, 1934, 10.30 a.m.

Hon. Mr. Black in the Chair.

HON. MR. MACAULAY: Mr. Chairman, the Committee Secretary has prepared a report on the matters we have investigated before the Public Accounts Committee so far, that relating to the Bergman contract, that relating to the Liquor Control Board for 1933, and that relating to the Gunning matter, which we finished yesterday. That report has been drafted, and I have consulted my friend, the Liberal leader, and my friend the Progressive leader, and we have agreed upon the report which will be filed, if you, Mr. Chairman, will bring it into the House this afternoon.

There is one further matter which the Liberal leader says he would like to bring up, and that is going back to 1932 in regard to receipts and disbursements. I have not had an opportunity of seeing Colonel Price about it, who is now sitting in the Private Bills Committee.

We can either adjourn until to-morrow morning or wait until the Private Bills Committee disposes of a couple of Bills they have before them this morning.

THE CHAIRMAN: What is the Committee's desire?

MR. MCQUIBBAN: Mr. Chairman, I think we would have to adjourn until to-morrow morning; we have not the witnesses here. We have not yet had authority to call further witnesses in regard to 1932 Accounts.

THE CHAIRMAN: I have not the authority for the Committee to go into the 1932 Accounts, which I would have to have from the House before the Committee would go into them.

HON. MR. MACAULAY: I would suggest that we allow the Committee to stand until to-morrow morning, and then Mr. McQuibban can consult with the Hon. Mr. Price.

HON. MR. NIXON: Mr. Chairman, I think I have two motions before the Committee yet. One was on the cross-entries, and I have put questions on the Order Paper which I wanted to ask. The other was in regard to the former Assistant Provincial Treasurer, Mr. Turnbull, about that matter.

HON. MR. MACAULAY: Taking up the cross-entries first, I do not think there is any objection to answering the question which my honourable friend has put on the Order Paper.

HON. MR. NIXON: Then I am content to withdraw my motion, if those are answered.

HON. MR. MACAULAY: If those questions are answered on the Order Paper, that will clean that up.

HON. MR. NIXON: Yes.

HON. MR. MACAULAY: The other matter I will discuss with Mr. Nixon in the meantime.

THE CHAIRMAN: At what hour to-morrow morning can we meet to get this thing cleaned up?

HON. MR. MACAULAY: I think 10.30 to-morrow morning.

(The Committee adjourned to meet again to-morrow, Wednesday morning, at 10.30 a.m.)

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## EIGHTH SITTING

Wednesday, March 28th, 1934, 10.30 a.m.

Hon. Mr. Black in the Chair.

THE CHAIRMAN: If you will come to order, gentlemen, we will have the roll call, please.

(The Secretary of the Committee then called the roll.)

THE CHAIRMAN: We are ready to proceed.

HON. MR. PRICE: We are waiting for Mr. McQuibban and Mr. Munro. I think they have called in at the Liquor Control Board office. I think they may not have anything for us to do when they get here.

HON. MR. FINLAYSON: Mr. Chairman, will you allow me to mention the motion passed at the instance of Mr. Nixon at the first meeting, in which he wished to summon certain witnesses from the Treasury Department. I spoke to Mr. Nixon about it, and he told me he thought he would drop it. Yesterday he told me he would let me know by six o'clock. Nobody being here, I assume it is going to be dropped.

HON. MR. PRICE: Here is Mr. Nixon now.

HON. MR. NIXON: Provided I am permitted to examine the documents in the Treasury, I am quite willing to drop it, and the Minister has given me that undertaking.

THE CHAIRMAN: I think that is quite all right.

HON. MR. PRICE: Mr. Chairman, when the Committee met yesterday, apparently there was an understanding that these matters in connection with the Liquor Control Board would come up for consideration this morning.

Mr. McQuibban spoke to me about the 1933 accounts, and I suggested at the last meeting of the Committee that Mr. Munro and Mr. McQuibban go to the Liquor Control Board and look over the 1932 accounts, and they have done that. I said I had no objection to them looking over the 1933 accounts, as they have done.

It was understood that they were to be there this morning. Mr. Robertson tells me that they have not gone to the Liquor Control Board this morning, and they are not here.

Should they want to call the Committee, I would be satisfied that they could call a meeting. In the meantime, there does not appear to be any business to carry on.

I would like to say, before the Committee rises, that when the Liquor Control Board started its operations, the Province loaned \$500,000 to it for the purpose of carrying on. Like any business, you cannot very well carry on unless you have some capital. After that loan it was gradually paid off. And then the Board was able over a period of years to pile up a surplus as per the following statement:

Statement Showing the Annual Net Profits of the Liquor Control Board of Ontario  
since the Commencement of Operations on June 1st, 1927, and  
also the Annual Payments made to the Provincial  
Treasurer for Such Profits

	Net Profits	Profit Payments to Provincial Treasurer	Amount of Profits Not Paid	Amount paid from Surplus
For the fiscal period which ended October 31st 1927 (5 months)	\$2,804,760 25	\$2,800,000 00	\$4,760 25 .....	
For the fiscal period which ended October 31st 1928.....	7,828,088 32	7,225,000 00	603,088 32 .....	
For the fiscal period which ended October 31st 1929.....	96,61,448 60	7,505,000 00	2,156,448 60 .....	
For the fiscal period which ended October 31st 1930.....	9,315,967 30	7,495,000 00	1,820,967 30 .....	
For the fiscal period which ended October 31st 1931.....	8,491,653 43	10,000,000 00	.....	1,508,346 57
For the fiscal period which ended October 31st 1932.....	6,632,420 48	9,260,000 00	.....	2,627,579 52
For the fiscal period which ended October 31st 1933.....	5,423,621 54	5,450,000 00	.....	26,378 46
	\$50,157,959 92	\$49,735,000 00	\$4,585,264 47	\$4,162,304 55
			Total unpaid	422,959 92
				\$4,585,264 47

That sum of \$422,959.92 the Province was entitled to get.



Now, the only point at issue, as I see it, between my friend Mr. Nixon and my friend Mr. McQuibban at all is whether the Province should have taken that much money away from the Liquor Control Board from the standpoint of business. All the Board had to do was to go to the Bank to borrow sufficient money to carry on their affairs; but the Province was entitled to all that money, and to-day is entitled to nearly half a million dollars besides what they have received.

HON. MR. NIXON: If that is owing to the Province, why didn't you take it all?

HON. MR. PRICE: I think it is something which we are entitled to take. The Board should borrow sufficient money to carry on that business; but, remember, whether it is there to help get better prices in buying, or whether it is transferred to the Provincial Treasury and the Consolidated Fund, is another thing.

HON. MR. NIXON: It should have been carried in a Deferred Account.

HON. MR. PRICE: Yes. I doubt whether it should be counted in in the fiscal year, because it had not been paid into the Province, that is at the date of the accounts. I think it should be treated as moneys of the Province.

I think that is all, Mr. Chairman, to come before the Committee.

THE CHAIRMAN: Will you move the adjournment?

HON. MR. PRICE: Yes. I move that the Committee adjourn.

THE CHAIRMAN: The Committee stands adjourned.

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## APPENDIX No. 2

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Report and Minutes of the Standing Committee  
on Fish and Game

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Session of 1934



No. 2

Report of the Standing Committee on Fish and Game  
1934

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SESSION OF 1934

*To the Honourable the Legislative Assembly of the Province of Ontario:*

Gentlemen:

The Standing Committee on Fish and Game begs leave to present to the House the Minutes of their meetings during the current Session and recommend that they be printed as an appendix to the Journals of the House.

A. COULTER McLEAN,  
*Chairman.*

Committee Room,  
Wednesday, March 21st, 1934.



## Minutes of the Meetings of the Standing Committee on Fish and Game

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Thursday, February 8th, 1934.

The meeting was held for organization purposes, the following members of the Committee being present:

Messrs. Aubin, Bell, Bragg, Calder, Campbell, Challies, Colliver, Davis, Ecclestone, Hambly, Harrison, Hill, Hipel, Jutten, Kenning, Lancaster, Lyons, McLean, Murphy, Newman, Oliver, Poisson, Reid, Ross, Sanderson, Simpson, Spence, Staples.

Mr. Coulter McLean was elected as Chairman on a motion by Mr. Ecclestone, seconded by Mr. Challies.

The Honourable Mr. Challies made reference to the fact that in recent Sessions the chair had been occupied by Mr. Ecclestone, Mr. McLean being Deputy Chairman last year and acting as Chairman in Mr. Ecclestone's absence. It was intimated that Mr. Ecclestone had expressed a desire to be relieved of this duty and, in accepting his decision, such action was taken with an appreciation of the keen interest which had, at all times, been taken by Mr. Ecclestone in the various phases of the work in connection with the fish and game resources of the Province.

Mr. McLean, on assuming the chair, stated that the action of the Committee in selecting him as their Chairman would be regarded by him as an evidence of their confidence in him. His remarks indicated that the work of the Committee is of considerable assistance in advising as to the proper development of the fish and game resources of the Province for the benefit of its residents and as an added attraction for the tourist visiting the Province. He made reference to the difficulty which he would encounter as successor to the chairmanship of Mr. Ecclestone, particularly in view of his knowledge of the great work which Mr. Ecclestone had done throughout the Province and particularly in his own District of Muskoka.

The Honourable Mr. Challies welcomed the Members back to their duties of the Session and especially as they related to the work of the Fish and Game Committee. He made reference to the interest displayed by the late Dr. Harcourt in the work of the Department and stated that it had been possible for him to make many valuable contributions from the wealth of his practical knowledge to the deliberations of this Committee during past Sessions. He expressed regret at the sudden death of Dr. Harcourt and extended on behalf of the Committee sympathy to his near friends and relatives.

The meetings of the Committee were being called early this year so that it

would be possible to get ahead with the work with all despatch, arrange for the hearing of the representations which the various associations would desire to present, prepare any amendments which might be decided upon for presentation to and discussion by the House so as to obviate any unnecessary delay in getting any new regulations into the hands of the interested public, and he asked for the support of the Committee in order that this objective might be realized.

It was more than ever being realized how important it is to obtain and develop the tourist trade to this Province and while there had been a considerable decline in this trade throughout the Dominion during the past year, it was gratifying to note from the information available there has not been the same ratio of depreciation or loss so far as this Province is concerned. This claim was based upon a comparison of statistics regarding non-resident angling and hunting licenses.

Special effort was made last year to provide a wider distribution of sporting fish by way of increasing the percentage of fingerlings rather than fry. "It is not so much a matter of hatcheries as providing a sufficient number of ponds whereby we can take the product of our hatcheries and rear the fry until they reach the fingerling stage," said the Minister. "In view of the fact that the fingerling is much more capable of taking care of itself than are fry, it is logical that such supervised development should be provided and that is the objective towards which we are working, although our progress along these lines will necessarily be controlled by existing economic conditions. Last year the Department balanced its budget for the first time in the past few years, that is, without taking into consideration payment of Wolf Bounty. We are doubling up on some of our hatcheries so that we may utilize them, when they are clear of commercial fish, for the propagation of game fish, which will assist in securing a wider distribution. Our black bass ponds at Guelph were a revelation and I have in my office samples showing the phenomenal growth of the fish which were planted there. Supplementary ponds will be constructed for the extension of this work at that point. We have closed White Lake, along No. 7 Highway in the north part of Frontenac, and we have acquired some one hundred acres there. Our officials claim it is ideal for the propagation of small-mouthed black bass by means of a pond system and during the year we hope to commence the construction of a series of ponds that will give us a larger number of fingerlings for the waters of that area. Regarding the utilizing of commercial hatcheries for the propagation of sporting fish, we now have at Glenora 20,000 eyed eggs of the inland salmon variety. This is a large salmon trout type of fish, but unlike some of the other members of the salmon family, they do not work their way towards the sea but remain in the inland lakes. We are securing an additional 20,000 of this same variety of land-locked salmon from Quebec and, with the co-operation of the Federal authorities, we expect to secure a considerable number of Kamloops trout, which is of the steel-head variety."

"A commercial fish hatchery has been opened at Little Current. This action followed a visit to that section during which lack of capacity was obvious. This provision should fill a long-felt want in that area.

"We have received from the Federal authorities eight car loads of elk, in all 180 cows and 20 bulls, and these were transported from Wainwright, Alberta, to their respective ranges with the loss of only two animals. It is only a matter

of a very few years before elk will be added to our list of large game and they will be mighty attractive to our hunter and tourists. Distribution was as follows:

"One car load on our property at Pembroke. Four car loads at Burwash Industrial Farm on an enclosed range of 200 acres, which will be increased by the addition of another 200 acres. (The ultimate idea being that we will be able to turn some of these animals, mostly bulls, free in the Burwash area. We have made Burwash Industrial Farm a Crown Game Preserve and we hope to develop this as a natural centre for the production of wild life.) Another car load was placed on the Crown Game Preserve at Chapleau and a car load on the Crown Game Preserve on the Onaman, northeast of Lake Nipigon and between the two lines of railway.

"The railway companies gave splendid co-operation in connection with the transportation, delivery and unloading, placing the cars where we wished them. Our reports are that these animals are doing splendidly and coming through the winter. Our officers report that they have noticed no trace of wolves in the sections in which these animals have been liberated.

"It is believed that the wolf is on the decline, as reports from our officers are to the effect that very little is seen of these animals.

"During the year we had a wide distribution of pheasants, probably wider than is usual and the reports we got from our overseers are that the birds are doing better than we had hoped for during this rigorous and severe winter. Numbers of Hungarian partridge were also distributed and this species is increasing in a highly satisfactory degree.

"The gun license which this Committee reported on last year, so far as the Department is aware, seems to have gone over very strongly. We note very little criticism but have received encouragement from the southwestern counties following the reduction of the fee from \$2.00 to \$1.00, which action was most acceptable. The hunter is thus making his contribution to this work and I am quite safe in saying that the dollar license gives the Department more returns from the Province than did the \$2.00 license in the southwestern counties."

To an enquiry regarding maskinonge from Mr. Lancaster, Mr. Challies advised that a study was being made of the waters in the Muskoka section and reference was also made to the request for the closing of Beaver Creek in the Peterborough section. The work of propagation is a very difficult one. The fish must be spawned in the area in which the parents are found and biologists have not, as yet, been able to determine what is the proper food for the "musky" after it is hatched and in order to raise it to the fingerling stage. The best method which has been devised up to the present is to close suitable areas and waters.

Replying to Mr. Newman's query regarding water levels in the Trent system, Mr. Challies stated that the necessity for drawing off water for use in connection with power development results detrimentally to fish life. The Department has been in touch with the Federal authorities and co-operation has been promised. Unquestionably large quantities of eggs are lost in the waters of the Trent River system, due to this condition, but navigation and Hydro engineers are



studying the problem in conjunction with officers of the Department with a view to providing the best solution.

A suggestion was put forth that some attempt should be made to have subsequent meetings arranged on dates which would not clash with meetings of other Committees of the Legislature and it was decided that the Chairman of the various Committees might consult with each other to secure this objective. It was also suggested that the Chairman should get in touch with officials of the hunters' and anglers' associations to arrange dates on which it would be convenient for their representatives to attend and make representations.

Mr. Ecclestone stated that money spent for the development of the fish and game resources of the Province would result in the best advertising. He did not think that as a Committee they were much interested in the Department balancing its annual budget. If necessary, money should be spent on this development of resources as an attraction for tourists. While we are all very much interested in the larger game, at the same time there are probably 90 per cent. of the sportsmen who would rather fish than hunt and he had practical experience of that. While there has been disappointment as to fishing in the past, during the last year or two fishing has been beyond expectation. "I just want to make this point. I do not think the Committee or any Member of the House is quite as anxious to balance the fish and game budget as they are to spend money in this way as an advertising medium. It is the best way money could be spent." In response to these remarks Mr. Challies observed that if the money were available, it could be expended to advantage and indicated that it might be used for establishment of facilities such as hatcheries and ponds for the propagation of two new species of fish which are being introduced. It was pointed out that to all this effort which is being made for the extension of game-fishing opportunities, the only person who makes any contribution is the non-resident angler. "I think the angler is as good a sportsman as the hunter and the hunter makes his contribution. I am not advocating an angler's license, but it is well to point out that if the demands on the Department by the angler for greater extension of this work are to be met, it cannot be done without money.

"As far as the Department is concerned we have the vision of what we would like to do. We want to make the Province attractive, not only to our residents, but to people outside of the Province, so that it might be possible to make the transient tourist an ultimate permanent summer visitor here. Last year we received splendid reports, as far as fishing was concerned, from all sections, particularly the Rideau Lakes, Kawartha Lakes, north shores of Georgian Bay, Pickerel River and Muskoka Lakes and that it was better than it has been for a considerable number of years."

Mr. Ecclestone observed that so far as the Muskoka section was concerned, he believed that the methods which are now being followed in connection with the planting of fish for restocking purposes is responsible for better results and the increase of angling opportunities now in evidence.

Some general discussion followed in connection with the enforcement and action which is being provided to secure observance of the Game and Fisheries Laws in the various sections of the Province.

The meeting adjourned and will next meet at the call of the Chairman.



## SECOND MEETING

Wednesday, February 21st, 1934.

Mr. McLean occupied the Chair and the following additional members of the Committee were in attendance:

Messrs. Aubin, Bell, Black, Blakelock, Calder, Challies, Colliver, Davis, Hambly, Harrison, Hill, Hipel, Kennedy, Lancaster, Mahony, Murphy, Murray, McBrien, McMillen, Newman, Oliver, Poisson, Raven, Reid, Sangster, Spence, Taylor, Wilson (Lincoln).

In opening the meeting the Chairman referred to the various recommendations which had been submitted for the consideration of the Committee by various protective associations throughout the Province. He made reference to the close co-operation which existed between these associations and the Department in the matter of protecting the fish resources of the Province and particularly to the good work along these lines which is being performed by the Ontario Federation of Anglers which has made appreciable progress under the leadership of its present President, Dr. James, and its Secretary, Mr. Schatz.

Before calling on those who were present to submit their recommendations, Mr. Corsan was permitted to address the meeting in connection with the necessity of providing publicity for the Province. Mr. Corsan stated that in view of changed conditions, it would be necessary that some publicity be provided to attract American tourists to Ontario and he suggested that provision for the establishment of wild-life sanctuaries in the area including Muskoka, Parry Sound and the section to the east would be desirable and necessary to produce such a result. Action along these lines in the United States, of which he had knowledge, had been responsible for increasing in such areas the numbers of migratory birds, swans, geese, quail and desirable game animals. To assist in securing this result it had been necessary to eliminate undesirable species, such as the great-horned owl, weasels, skunk and mink. He suggested that while the area was perhaps not suitable for quail, it would be adaptable for the propagation of ruffed grouse, pheasants and possibly wild turkeys, and he also suggested the possibility of land-owners in the eastern section of the Province using their lands which were not suitable for agriculture for the raising of game and renting shooting privileges thereon.

In response to an inquiry from Mr. Lancaster, Mr. Corsan stated that he was of the opinion that a campaign of publicity for the purpose of drawing attention to our various attractions would be of benefit to the Province.

Dr. A. B. James, President of the Ontario Federation of Anglers, presented the recommendations of the Federation, together with the following comments in connection therewith.

He first expressed his appreciation for the privilege of being permitted to present the recommendations of the Federation and mentioned the fact that the personnel of the Special Committee which had reported in 1930 upon the game-fish

situation, namely, Hon. F. G. MacDiarmid, Prof. B. A. Bensley and Mr. C. N. Candee, had all been removed by death. He paid tribute to their work and suggested that their report should be cherished and, so far as it was possible to do so, acted upon. Anglers who are interested in the cause have perused this report with biologists, have recognized the benefits which may be derived from the adoption of the recommendations and recommend similar consideration of the report by this Committee.

Reference was made to the work they have tried to accomplish in the past with a view to arousing interest in the various game-fish matters which they believe are urgent and it seemed that some of their requests which had been thought reasonable have been lost sight of. This result, however, did not make them feel disheartened. He was not critical of the Department as things could not be accomplished without the support of this Committee of the Legislature. He referred to the recommendations they had prepared and sent direct to the Department to be brought to the attention of the Committee. He stated that he had only two recommendations to mention but he believed they were of vital interest and importance.

The first recommendation was that which advised a system of zoning the Province in respect of fishery matters. This recommendation was made on account of the wide variation of the geographical and climatic conditions which affect the game-fish situation, and it was their recommendation that an appropriation should be provided to permit the making of a thorough investigation of all the factors which apply, having in mind, the zoning of the Province as the proper method of dealing with the many problems and conditions which would apply to the various sections or zones. The necessity for such action is borne out by the varying requests received from local associations in different localities for changes in the regulations concerning seasons provided for the taking of the different species of game fish, and he referred to the recommendations, ten in number, as they dealt with speckled trout, lake trout and black bass, in which suggestions of a conflicting nature were submitted in view of local climatic conditions. Game fish spawn much earlier in some sections than they do in others in a province of such wide extent and it is, therefore, impossible to make one law in respect of close seasons successfully applicable for all sections. He also referred to the matter of the use of spears for taking fish and the necessity for some action to control this manner of fishing, and that as it would appear impracticable to prohibit the use of spears throughout the entire Province such a system of zoning would assist in providing suitable regulations for controlling its use and prohibiting the use in areas where such action was necessary or desirable in the interests of fish conservation. Such a system in some way would be comparable to the system prevalent for the present deer seasons. It would further appear to be desirable from an administration standpoint. In each zone there would be set up machinery to administer the regulations in a manner which would possibly be much more efficient than could be done from a central point. It would be possible to create a better understanding as between commercial and game-fishing interests in sections where there might be a conflict of these two interests. It is of sufficient importance to warrant a recommendation that someone be empowered to investigate, gain data and information in order that the project may be examined, and if found applicable and suitable to the Province then it should be adopted.

The other question is the maskinonge situation. He wished to emphasize

the fact that the Association was aware of the excellent work which has been and is being done by the Department under Mr. MacKay from a biological standpoint, and under Mr. McDonald's direction, and felt that their recommendations fit in wholly with sound biological information which has been brought forth by Mr. MacKay and himself. Reference was made to the assistance which the publication and issue of pamphlets on black bass, maskinonge and speckled trout had been responsible for and the co-operation and work of the Department in this connection was appreciated and it had done an enormous amount of good. However, unless something was done with reference to the maskinonge, it would soon be a thing of the past and it is going to take its place with the carrier pigeon, the buffalo and a few other extinct species. As a result of the past "wait-and-see" policy, the maskinonge is rapidly disappearing, which is supported by the fact that the angler everywhere is reporting fewer and fewer maskinonge. Professor Harkness in a talk the other day stressed the same point that the maskinonge is in grave danger. The problem may be dealt with under four headings:

- (1) Conditions leading up to the present.
- (2) The present situation.
- (3) What may be done to remedy the situation and the results which may be looked for.
- (4) Responsibility of our Ontario Federation of Anglers to this problem.

Referring to certain figures which had been prepared by Professor Harkness, it was stated that large quantities of maskinonge have in the past been taken from Lake Simcoe and sold on the market. These conditions exist in a lake pre-eminently suitable for all-round maskinonge interest, with the result that the maskinonge is a rarity in Lake Simcoe. Information was given as to the range of maskinonge in Ontario, which is very limited. It is found in the St. Lawrence River, in the Thousand Island region, the Ottawa River, a small fringe along the shores of Lake Ontario, Lake Erie and Georgian Bay, through the Kawartha Lakes system, the Trent Valley and along the North Channel of Lake Huron and the Lake of the Woods. If you plot that territory on a map, grading to scale, you could hardly see the line. Therefore, the distribution to start with is on thin ground and it is important that some provision should be made for conserving this fish.

With reference to the second heading as to what might be done to remedy the situation, it was said that statements are continually being made to the effect that maskinonge culture has been successful. He had been very much surprised to hear it stated that maskinonge had been successfully cultured in some of the mid-western states of America and he had written the Conservation Departments of New York, Michigan, Wisconsin and Minnesota for information along these lines.

From Wisconsin it was advised that the results depended upon the number of fish from which it had been possible to secure spawn. They had not been successful in developing the fish beyond the fry stage. Fry had been planted in suitable waters and to this extent it was felt that their work had been successful. Great difficulty had been met in raising the fish to the fingerling stage and the proportion raised to fingerling size as compared with the number of fry planted is very small.



From Michigan it was learned that they had never undertaken the propagation of maskinonge. They had been discouraged from doing so in view of the limited success which had been obtained in the neighbouring States of Minnesota, Wisconsin and New York. While maskinonge are widely distributed over Michigan they are in no place abundant.

Minnesota advised that they had met but very little success, except last season when a considerable number were raised to a size of eight to nine inches. The bulk of the eggs hatched are planted practically in the fry stage and it was thought that the best success along these lines would be obtained by carefully guarding the spawning grounds. Maskinonge have become very scarce in Minnesota.

From New York it was learned that they had been propagating maskinonge with some success for more than thirty years. The matter of growing them to the fingerling size is still in the experimental stage. Two years ago they raised about 4,000, ranging in length from three to seven inches.

That is the situation in four states across the line. He claimed that the Ontario Department had done as much, if not more. It was suggested that the work done along these lines will not bear any fruit unless it is done by one man who will acquaint himself with the subject, devoting his whole time over a period of years to a study of conditions, with a view to obtaining all the possible information available and thus being in a position to give advice to the Department. It was stated that the maskinonge could not be saved by restocking. Such work does not supplant, it only supplements the work of nature and it is recommended that the Department should have a biologist whose work it should be to make a complete study of this situation in the Province.

It was stated that it was the opinion of the Federation that education was more important than legislation and they were doing considerable work along these lines, with a view to creating an interest in the protection of our game-fish resources which he believed was responsible for improvement in the matter of securing observance of legislative regulations.

Mr. E. L. Hughes of North Bay drew attention to the recommendation from the Ontario Tourist Trade Association that a hatchery be established in that section for the rearing of lake trout and pickerel. Such a step was essential in order to facilitate the handling of these species for restocking in that section. Investigation which had been carried on had shown that such a step was feasible. Lack of funds had made it necessary for the Department to curtail its hatchery activities last year, with the result that they had received very few fish, and he suggested that the Committee should do what it could to see that the Department received enough funds to carry on the work of fish propagation and distribution in the Province. A continuation of this work was necessary if we are to retain the tourist business. This tourist business had been responsible for the receipt of revenue by practically every Department of the Government and while it was only an estimate, it was his belief that at least \$2,000,000 of the revenue received from the gasoline tax is attributable to the tourist business.

Mr. R. A. Jones of Campbellford spoke on behalf of the Campbellford Fish and Game Protective Association and advised that they were primarily interested



in the Trent Valley system. He stressed their recommendation that the season for all game fish, except speckled trout, in this section should not commence before June 15th. At the present time no one can fish from a boat until July 1st, but in fishing for pickerel so much fishing could be done from the shore that many bass are taken, and it was felt by them that it would be in the interests of both pickerel and bass if their recommendations along these lines were adopted. He also stated they were opposed to the establishment of a rod license and that if the Province were zoned they felt that the Trent Valley system should be made a zone in itself.

Mr. Ludwig, First Vice-President of the Toronto Anglers' Association, thought too much stress could not be laid on the matter of educating the people along the lines of conservation, and he believed that the Departmental Field Staff could be of considerable assistance in this work in the way of calling meetings, particularly of young people, giving talks and advice on the necessity for conserving our fish resources and observing the provisions of the regulations which govern. He made reference to the work along these lines which he has done himself in the section of the Georgian Bay in which he has spent his summers, with the result that improved conditions are evident and there is very little trouble with violators. He thought it would be advisable if we had more Deputy Game Wardens, responsible young chaps who would be proud of such an appointment and who would be willing to watch and educate.

Mr. Schatz, Secretary of the Toronto Anglers' Association, stated that Dr. James had covered the ground on their behalf very thoroughly. He did intimate that he would like the Committee to keep in mind the recommendations sent direct to the Department. No mention had been made of these recommendations as it was thought wise not to burden the Committee with hearing too many recommendations.

Mr. Barrett of the Frontenac County Fish and Game Protective Association stated that he would like to have the Committee recommend to the Department more rigid enforcement, especially for the inland lakes of Frontenac County. He cited conditions which existed last fall, when considerable numbers of lake trout were taken from these lakes during the spawning season and that it had been impossible to obtain the services of the local overseer who, at that time, had been detailed for work in connection with departmental hatchery operations in the Bay of Quinte, which, according to him, had left their section without proper protection. Request was also made that some action should be provided for an investigation of the Fifth Deepeau Lake, with a view to ascertaining the cause responsible for the lack of growth evident in pickerel, large numbers of which species are to be found in this lake.

Mr. W. R. Griner spoke on behalf of a summer resort proprietor of Campbellford in connection with the present regulations which prohibit fishing from boats in the waters of that section until July 1st. While this regulation is generally observed, many people do fish from the banks of the waters in question with the result that in some cases bass are taken. It was recommended that all angling be denied to the public in the Kawartha Lakes and the Trent River district until the first day of July and that such regulation would assist in the conservation of fish and be of benefit to summer resort proprietors and anglers.

The Honourable Mr. Challies addressed the gathering and expressed regret that it had not been possible for him to be present at the commencement of the meeting. He stated that everything which had been submitted would be considered seriously and sympathetically. While everyone was agreed on the necessity for providing additional facilities for educational work, conservation and enforcement, it should be realized that any provision for such work would be limited to the extent of any appropriation which was available. It was necessary in the expenditure of the funds to see that the same went as far as possible and that no branch of the service was allowed to suffer, realizing that in stagnation there was danger, but in progression we could at least move forward and reach an ultimate goal. He referred to the assistance which could be provided by officials of the Department, particularly by Mr. MacKay in the matter of opinion and guidance in fishery activities and whose services were, at all times, available to Fish and Game Protective Associations. Reference was made to the necessity for continuing hatchery activities and increasing facilities for extension of the work. He pointed out the action which was being taken to increase the work of black-bass propagation through the ponds which had been created at Guelph, and with the closing of White Lake in Eastern Ontario, which, it was hoped, would result in a distribution of black bass which the Province has not had in recent years. Emphasis was laid upon the tourist trade and the necessity for taking steps to continue or enlarge fish and game opportunities as a means of attracting this tourist business to our Province. Reference was also made to the efforts which are now under way with a view to introducing land-locked salmon and Kamloops trout to suitable waters within the Province. Mention was made of the enforcement service and the steps which were being taken to improve the efficiency thereof, and in this connection an outline was given of the practice which prevailed in the matter of appointing Deputy Game Wardens and particularly the necessity for granting such appointments only to those who would be suitable to the work. The presence of the representatives of the various associations for the purpose of presenting verbally their recommendations was appreciated. He requested those present to realize the difficulties which confronted those responsible for providing regulations which would be satisfactory to all sections of a province so extensive as Ontario, especially when there are so many local justifiable viewpoints on any problem.

Professor Harkness spoke in connection with his work of training biologists who would be available for work of this nature. The chief aim is to bring about conservation and every person in the work is constantly making progress towards that end. He mentioned the fact that many members of the Toronto Anglers' Association and the Ontario Federation of Anglers were devoting considerable time without any consideration of remuneration and, in many cases, at their own expense because they believed the work to be worth while. Referring to the maskinonge, he expressed it as his opinion that it is a game fish that is being depleted at a most dangerous speed at the present time. While the case of the maskinonge is not hopeless, it is so critical that it is necessary to provide steps along investigation lines and rigid enforcement of existing regulations. He stated that he was a professional conservationist for the reason that the conservation of our wild life was the biggest job confronting us in this Province to-day.

Mr. Challies expressed appreciation of the splendid support and co-operation which existed between the biological department of the University of Toronto and the Fish Culture Branch of the Department of Game and Fisheries, and also

of the assistance and co-operation received from the Toronto Anglers' Association and the Ontario Federation of Anglers.

At the request of the Chairman, Mr. Bell and Mr. Reid expressed to the gathering the thanks of the Committee for the manner in which the various representations had been made.

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### THIRD MEETING

Thursday, February 22nd, 1934.

Mr. McLean was in the Chair, and the following additional members of the Committee were present:

Messrs. Acres, Aubin, Bell, Black, Bragg, Challies, Colliver, Craig, Hambly, Harrison, Hill, Hipel, Hutchinson, Ireland, Jutten, Kennedy (Temiskaming), Kenning, Lancaster, Murphy (Beaches), Murray, McMillen, Newman, Poisson, Raven, Reid, Robertson, Sangster, Spence, Staples, Taylor, Vaughan, Wilson (Lincoln), Wilson (London).

The Chairman welcomed the representatives who were present at the meeting for the purpose of submitting recommendations, and made particular reference to the recommendations which the Ontario Hunters' Game Protective Association had brought in.

The Honourable Mr. Challies stated that the public meetings of the Committee had been called at this time with a view to meeting the convenience of the organized Angling and Hunting Associations, and he expressed his appreciation of the presence at the meeting of the representatives of the different organizations.

In his remarks, the Minister made brief reference to the introduction of elk into the Province, and the distribution which had been made of these animals, explaining that this importation had been arranged in the hope that in the not distant future it would be possible to provide an open season on this species of animal in Ontario. Reference was also made to the arrangements which would be provided for the removal of surplus caribou from Caribou Island (which is in Lake Superior, northwest from Sault Ste. Marie) to the mainland, which action should assist in restocking this section with these animals.

It was further stated that the various recommendations which would be submitted would receive sympathetic consideration, and it was hoped that the rulings and conclusions which would be provided would be accepted in a spirit of co-operation, having in mind that it was necessary, in arriving at these conclusions, to take into consideration the viewpoint of all—the man who hunts, as well as the man who does not hunt—and that as an added attraction for this Province, it was necessary to build up an abundance of wild-game life.

Mr. W. Gastle, President of the Ontario Hunters' Game Protective Association, stated that the recommendations which had been adopted by their Associa-



tion for the consideration of the Committee had been submitted and distributed to the meeting, and that as he preferred rather to listen than to speak, the recommendations would be submitted and explained as the meeting progressed.

Mr. W. R. Griner presented a petition signed by hunters from Hamilton and vicinity, which requests that the conditions which govern the practice which prevails in Hamilton Bay with reference to the construction of blinds out in the open water for duck-shooting purposes should be changed.

The present regulations permit construction of these blinds any distance up to 200 yards from the shore, while, in addition, existing regulations provide that decoys cannot be placed closer than 100 yards to those put out by other hunters, and any person who takes advantage of this creates a shooting preserve for himself. The waters in the vicinity of these blinds are also baited, and the manner in which these practices have been carried on have had the effect of excluding the general public from taking part in duck-shooting on Hamilton Bay. The most desirable places on the bay are selected and these are covered by blinds of permanent construction which may be occupied night and day, and thus the owners are in a position to secure protection of their locations.

It would be preferable if all duck-shooting should be confined to the shore or natural rush bed, and that decoys should be placed not more than 50 yards from the shore.

The practice of placing out feed for ducks in desirable locations before the opening of the season for the purpose of attracting the birds to these locations should be abolished.

The speaker expressed it as his opinion that one pump shotgun should be ample for any sportsman to use for duck-shooting. While it is difficult to enforce the regulations pertaining to the sport of duck-shooting, it was recommended that hunters should be confined to the use of one gun. He further stated that he would not be in favour of any change in the present open season.

Mr. J. A. Griffith said that he was very much in sympathy with the request contained in this petition and supported the remarks made by the previous speaker. He intimated that the practice of constructing hides in Hamilton Bay, as it now exists, is one which indicates commercialization of this sport, in that it restricts shooting privileges to pot hunters.

Replying to an enquiry from the Chairman, Mr. Griffith stated that evidently these conditions were peculiar to Hamilton Bay on account of its geographical construction.

Mr. W. Gastle stated that the conformation of Hamilton Bay and the location in which the blinds in question are set up have the effect of practically restricting duck-shooting in Hamilton Bay to the occupants of these blinds. The blinds, while in different locations, are operated by the same parties, and it was his opinion that they were there for commercial purposes and not for sport.

Baiting for slaughtering should not be considered as feeding for propagation and should be prohibited province-wide.



Mr. J. W. Gravestock stated that there are certain points in inland lakes which would be better than others, and under present conditions any man could put in a permanent blind and hunt therefrom six days in the week. He suggested that the law should be amended so as to prohibit shooting for more than two days in any week from any particular point. On the inland lakes, with the natural feed available, the practice of baiting is not prevalent, and the season is short owing to climatic conditions.

Mr. P. R. Barrett of Kingston stated that similar conditions as those which existed in Hamilton Bay were prevalent along the St. Lawrence River. Last year ducks were baited all fall and practically through the month of August. Mention was made of the case in which one farmer in that section built blinds on his shore which he rented for \$20.00 a day to wealthy Americans. Several sportsmen from Kingston had gone over to shoot and they were told to get off, which was done, except in the case of one person who was prosecuted for trespass and fined, and which action had been responsible for considerable discussion.

His own opinion, which he believed would be supported by his Association, would be strongly in favour of prohibiting the practice of baiting ducks for shooting purposes.

Mr. E. L. Hughes, Trout Mills, suggested that while the matter of baiting ducks was one which should be considered, it was one for international regulation.

Concerning the non-resident license fee, it was stated that he had received many complaints regarding the amount of the same, and in view of the fact that wild ducks were migratory birds, he believed that Americans should have the same opportunity to shoot the ducks here as they have in the States, and he further suggested that serious consideration should be given to the matter of reducing the fee for a non-resident license for the shooting of ducks.

Speaking with reference to the matter of the season for partridge, Mr. W. Castle stated that the season as it has been provided, has been appreciated, particularly that which was coincident with a portion of the open season for deer, though he was inclined to the opinion that opening the season for partridge during the first few days of the deer season was an invitation to break the law. In support of this opinion, it was stated that during the first half of the season, deer hunters are anxious to get their deer, and it was suggested that the seasonal limit of catch should remain the same, though the taking of partridge should be permitted during the entire open season for the taking of deer. This was supported by Mr. H. W. Hunsberry, who also expressed his appreciation of the open seasons which had been provided, and hoped that reports of conditions as they applied to these birds would be such as to warrant an open season in 1934.

Mr. J. A. Griffith stated that the general season as it was provided in 1932, which did not permit shooting of partridge in the more southerly counties, was preferable to the same season provided in 1933 in which shooting was permitted over the entire Province, and that future open seasons should be provided along the lines of the 1932 regulations. His reasons for this viewpoint were that in the counties adjacent to Lake Erie and Lake Ontario there were very few partridges, while for the most part they contained an abundance of pheasants, and the season of 1933 had been inimical to the welfare of these last-mentioned birds.

In response to this suggestion, the Honourable Mr. Challies pointed out the complaint of discrimination for which provision for such exception might be responsible.

Mr. H. W. Hunsberry thought that some practice should be established in the way of providing food for pheasants during the inclement weather. He was pleased to hear of the steps which had been provided recently along these lines by the Department and expressed his appreciation of the assistance thus provided to supplement the feeding for which sportsmen have been responsible.

Mr. J. A. Griffith expressed himself as being in favour of prohibiting the sale of cotton-tail rabbits as a means of protecting and conserving this species for the future enjoyment of sportsmen.

Mr. J. W. Gravestock enquired as to what guarantee there was that the revenue which was derived by the Department of Game and Fisheries was being used for the development of the game and fish resources of the Province, and particularly to what extent revenue derived from hunters was devoted to the purpose of restocking depleted lands with game birds. In response, the Honourable Mr. Challies explained that all revenues derived by the various Government Departments were placed to the credit of a Consolidated Revenue Fund and moneys for expenditure by the various Departments were voted by the Legislature. He stated further that at the present time there was a greater number of game birds on the Bird Farms of the Department, and it was hoped that there would be greater distribution.

Mr. H. W. Hunsberry spoke in support of the recommendation which favoured the reinstatement of the practice of issuing badges with hunting licenses. He believed that the discontinuance of this practice two years ago was a backward step. It was claimed that the practice of issuing such badges, especially with gun licenses, and the necessity for the licensee wearing his badge in a conspicuous place during his hunting operations, would be of considerable assistance to the property owner who desired to see that his rights were respected.

Others, including Messrs. Gravestock and Gastle expressed similar views and stated that a badge was a great necessity.

Mr. M. U. Bates, Metagama, supported the recommendation in favour of issuing a combined hunting and angling license to residents of the Province.

Mr. Gastle was also in favour of the recommendation which, if adopted, would have the effect of placing the resident angler on the same basis as the resident hunter.

Mr. J. A. Griffith believed that the owner or driver of any vehicle who, knowingly, permitted any illegal shooting from such vehicle, should be regarded as being an accessory to the offence and be held jointly responsible with the person who does the shooting.

Mr. E. L. Hughes, Ontario Tourist Trade Association, on behalf of his Association, recommended that a spring bear hunt be allowed and a \$30.00 license fee imposed so far as the non-resident is concerned. He stated that in

the spring, bear are responsible for the extermination of many calf moose, as well as adult animals. He drew attention to the financial results which might follow the establishment of such a provision, and he did not believe that such a hunt would be responsible for the disturbance of young deer. Such shooting would not be in the woods but rather from the shores of waters, or it could be under the control of a licensed guide. He suggested as an acceptable season, May 1st to June 15th. Replying to an enquiry by Mr. Murray, it was stated that bear were plentiful north of the French and Mattawa Rivers.

Mr. M. U. Bates, Metagama, stated that trappers are in possession of a license and use firearms. He made the further statement that some of the most undesirable types of new Canadians who had no appreciation of the merits or ideas of conservation have access to hunting our deer and moose for a \$5.00 trapping license, while it is impossible for a responsible American tourist to secure a license to take bear in the spring. Such a tourist, under the direction of a licensed guide, would do no harm to protected game, and he recommended such an open season from the 15th of April or the 1st of May until the 15th of June, with the provision that any non-resident taking out a license for this purpose must be accompanied by a licensed guide.

Mr. W. Gastle spoke in support of their recommendation in favour of the use of dogs to hunt deer and stated that he never will get over the loss of the dog in his annual hunt. He thought that the hunters should be willing to compromise, and suggested a system under which only thoroughbred dogs could be used for such purpose, those taking advantage of such privilege to pay a reasonable fee and possibly restricting the use of dogs to the extent of allowing one dog for each two hunters. He was of the opinion that when the use of dogs was allowed, such was responsible for the taking of more bucks. He referred to the fact that last fall he had observed the migration of deer from the northwest, that is, the southern portion of the Districts of Algoma and Sudbury to the southeast or the Parry Sound or Haliburton Districts.

Mr. H. S. Cameron was opposed to the use of dogs and thought that the Government had done a wise thing when they made it illegal to use dogs for the hunting of deer, and he thought that it would be a mistake to reinstate the old regulation. He referred to the willingness of the previous speaker to be satisfied with a regulation which would allow the use of only a limited number of dogs, and asked why it should be necessary to limit the number of dogs so used if they did no harm. He was opposed to any change in the present regulation and, in his opinion, such regulation was in the interests of the conservation of big game.

Mr. Gastle stated that they would be in favour of a buck law in conjunction with the use of dogs, and that if a man shot a doe in the bush he would be immediately entitled to pay a double license fee, which would cause him to be more careful, and in such cases he would be in favour of imposing a heavy fine on any man who shot a doe and left it behind in the bush, and he believed that more wounded animals were left in the bush when dogs are not used.

Mr. J. W. Gravestock spoke in favour of the present regulation which prohibits the use of dogs as being in the interests of conservation.

Mr. W. E. Robinson, London, presented a resolution endorsed by some three



hundred deer hunters of Western Ontario in favour of the use of dogs, and stated that at the meeting at which this resolution was adopted, the action was practically unanimous.

Mr. Wills of Toronto spoke in favour of the present regulation and believed that a hunter could be more successful when not using dogs.

Mr. H. Elder, French River, stated that he did not think the use of dogs was detrimental to the interests of deer. Quite naturally a deer will run ahead of a dog. They try to shake the dog, which shows that the deer is not animated by fear—the natural instinct being to get away from the dog. According to his observations during the last two years, when the dogs have been cut off, the number of small deer and does which have been shipped out has increased. While not recommending a buck law, he thought that the use of dogs was responsible for the taking of more bucks. He also thought that Ontario was entirely different from the States to the south where the dogs had been banned for the reason that they were extensively populated, and he stated that the use of dogs could not be regarded otherwise than being in the interests of conservation, especially as they were responsible for the taking of more bucks, which resulted in fawns and does being allowed to remain in the bush to grow and breed. His views were submitted as those of an outfitter who, having a considerable investment in the section in which he was established, was more interested in the conservation of game than the hunter who could move about from place to place.

Other speakers supported the use of dogs to hunt deer, expressing that it was their opinion that the use of dogs was responsible for the taking of more bucks than hunting without dogs; that the same was in the interests of conservation, as too many wounded deer were lost without the use of dogs.

Mr. Sam Harris thought that the Government should be congratulated upon the unanimity of opinion with which the present regulation had been received. He outlined his position in support of the legislation which prohibits the use of dogs to hunt deer, which he believed was in the interests of conservation which all deer sportsmen had at heart. In the past, some had favoured the elimination of dogs; others had thought it would be best to continue to use dogs, and there had also been the point as to the safety of the hunter. In previous years, it had been stated that without the dogs there would be many more accidents, and the facts had not borne out this claim.

Reference was made to the questionnaire which had been submitted with the deer licenses issued last year, and it was suggested that they should await the results of this questionnaire before any changes were suggested. He thought that the people as a whole had an interest in this game as it was a natural resource and they had as much right to their opinions in the matter of taking game as had the thirty or forty thousand people who hunt. He thought that hunters were 300 per cent. in favour of the law, except perhaps the buck law, though he himself would be in favour of such regulation. He drew attention to the fact that the use of dogs for hunting deer is now prohibited in every province of the Dominion.

Mr. T. H. Bell, M.P.P., spoke as a representative of the Grenville Hunt Club. He stated that it was not a political question but rather a sportsman's and Government proposition. His thoughts had been pretty well expressed by



Mr. Gastle, President of the Ontario Hunters' Game Protective Association, especially in the matter of using a restricted number of dogs and penalties for shooting does or leaving them in the bush. He was of the opinion that the Committee should take into consideration the matter of providing action under which the Department could close any area in which it was reported that deer were becoming depleted. It was his opinion that the reduction in revenue was to some extent attributable to the present regulation which prohibited the use of dogs, and he believed that if we returned to the use of dogs, more non-resident hunters would come into Ontario.

Mr. Newman mentioned that he had received telegrams from many sections of his constituency which indicated opposition to the present regulations, particularly from the standpoint of loss of revenue.

Mr. R. E. Jones, Campbellford, brought out three points in favour of the use of dogs:

1. The wolf and his depredations is responsible for considerable destruction of deer.
2. The man responsible for putting out dogs would start them on the trail of a proper deer, and
3. Dispatch of the deer.

He also stated that it was his experience that more deer were lost when dogs were not used, with the result that many more deer were killed under the present regulations than should be necessary to get the count.

Mr. P. R. Barrett of Kingston favoured the use of dogs to hunt deer and suggested also as a further conservation measure that the shooting of deer in water should be prohibited.

Mr. E. L. Hughes referred to the recommendations submitted by his Association, The Ontario Tourist Trade Association, and particularly the one which favoured the issue of combined non-resident hunting license covering small game and deer at a fee of \$21.00. Under the present regulations it was claimed that the non-resident general hunting license issued at a fee of \$41.00 and which also included the taking of moose was issued to non-residents desiring to hunt deer even in districts where moose were known not to exist.

Mr. J. W. Gravestock supported the recommendation of the Peterborough Association which asked for a close season on moose in the County of Peterborough.

At the request of the Chairman, Messrs. Taylor and Bell expressed in suitable terms the appreciation of the Committee for the splendid manner in which the various representatives attending the meeting had presented their views for the information and consideration of the Committee.

The meeting adjourned at 1.30 p.m. and reassembled at 2.15 p.m. for the purpose of hearing representations of the Ontario Federation of Naturalists which

were submitted by Mr. W. E. Saunders of London. Mr. Saunders stated that they were interested in the conservation of some species whose numbers have been subjected to serious decline. He referred particularly to the eagle and the osprey. Both of these birds were abundant in years gone by—now they are almost extinct so far as Ontario is concerned. He was aware of the antagonism which existed against all birds of prey including the eagle and the osprey for the reason that they are believed to be dangerous to other forms of nature. Naturalists feel that the manifestations of nature are so complicated and that the preservation of one species depends upon the existence of another to such an extent that we cannot put our finger on one species and say we would be better off without that species. Generally, the extermination of any one species has widespread effects which are not beneficial, and instances in support of this statement were supplied, such as the elimination of the marten in a portion of the United States which had been followed by the departure of song birds; and the destruction of gophers in the northwest portion of Canada which had to be provided for following the removal of the birds of prey which had been responsible for the keeping of their numbers in check. When man interferes with the processes of nature, he has to provide means of his own at great trouble and expense to establish the balance. He did not think that anybody would have the boldness to claim that the eagle was inimical to man's financial interests and he did not feel that we have any business to judge wild nature on such a sordid basis. The eagle lives alongside of the water and, generally speaking, preys upon nothing else than dead and dying fish. People are prone to make the excuse that they killed these birds because they were killing their chickens, though such a claim is unfounded. He felt that it is time that the killing of the eagle and the osprey was stopped. While the osprey feeds on fish, he very seldom takes game fish. He takes fish which are easy to get, such as the sucker and the mullet. He referred to the enthusiasm and joy of youngsters who occupied their camps during the summer, when the eagle is observed. The future of birds of prey is very cloudy, and it was urged that particular attention should be given to the two species mentioned, as their numbers have dwindled almost to the vanishing point, and any damage for which they might be responsible would be very limited.

Replying to an enquiry, Mr. Saunders stated that the large birds of prey take only injured or wounded birds as they are not able to catch good birds, and eagles are so rare that they cannot possibly have any influence upon the existence of game birds.

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#### FOURTH MEETING

Thursday, March 1st, 1934.

Mr. McLean occupied the Chair and the following additional members of the Committee were in attendance:

Messrs. Aubin, Bell, Bragg, Calder, Challies, Colliver, Craig, Davis, Hambly, Harrison, Hill, Hipel, Hutchinson, Jutten, Lancaster, Murray, McMillen, Newman, Reid, Sanderson, Sangster, Smith (Essex), Spence, Staples, Taylor, Willson (Niagara Falls), Wilson (Lincoln).

No action was taken in connection with the recommendations from various Protective Associations as to changes in the open season for black bass, nor on the recommendation regarding the closing of certain waters in which black bass spawn.

No action was taken on the recommendations with reference to guides submitted for the consideration of the Committee.

No action was taken on the recommendations with reference to the open season for the taking of lake trout, in view of the recommendation for the zoning of the Province for angling purposes.

No action was taken on the recommendation that the daily limit of catch governing lake trout taken by angling should be reduced.

No action was taken on the recommendations in favour of a reduction in the fee for non-resident angling license, while a recommendation for the issue of a combination license for family use was referred to the Department with a view to establishing such license if found feasible.

No action was taken on the recommendations for the extension of the territory in the northwestern part of the Province in which special angling licenses for residents of Manitoba are valid.

The matter of the establishment of a resident angling license was referred to the Department for further investigation on the understanding that no action would be taken during the present year.

The matter of issuing badges with angling licenses was referred to the Department for consideration.

No action was taken on the recommendation of the Hamilton Angling and Casting Association regarding the licensing of fish dealers.

No action was taken on the recommendations regarding a change in the open season on maskinonge, while a recommendation regarding the restocking of Kent County waters with this species was referred to the Department.

Concerning the recommendations of the Ontario Federation of Anglers regarding closure of waters and the artificial propagation of maskinonge, it was recommended by the Committee that the Department endeavour to secure closer co-operation as between the Federal Government and the Hydro-Electric Power Commission for the purpose of controlling water levels on the Trent Canal system during the maskinonge spawning season, with a view to providing protection for this species.

Recommendations regarding spears, dip nets, minnow seines and gill nets were considered and no action taken.

Recommendation in favour of allowing fishing for pickerel from anchored boats in Rice Lake between the commencement of the open season and July 1st was approved.



No action was taken in connection with the various recommendations as to change in the open season for pickerel and pike, in view of the recommendation for the zoning of the Province for angling purposes.

Recommendations with reference to the classification which should be afforded pike were left with the Department for consideration.

Recommendations of the Temiskaming Fish and Game Protective Association and the Nakina Anglers' and Game Protective Association, opposed to the close season on pike so far as it applies to Northern Ontario waters, were approved in so far as speckled trout waters in the North are concerned.

No action was taken on a recommendation with reference to the spearing of pike in Essex County.

The recommendation of the Ontario Federation of Anglers regarding the reservation of waters for game-fishing purposes was referred to the Department for attention.

No action was taken on the various recommendations as to a change in the open season for the taking of speckled trout, in view of the recommendation for the zoning of the Province for angling purposes; and no action was taken on other recommendations with reference to speckled trout.

A recommendation with reference to the netting of whitefish in Rideau Lakes was referred to the Department for attention.

Mr. Willson (Niagara Falls), referred to the question of the minimum length of sturgeon which may be taken from the waters of the Niagara River. New York State fishermen are allowed to take sturgeon, provided they are not less than 20 inches in length, while present Ontario regulations provide that no sturgeon less than 42 inches in length shall be taken. In view of the fact that these are international waters, it was suggested that similar provision should apply in the waters on both sides of the boundary and it was recommended that an amendment to the fishery regulations of Ontario should be provided in this connection so as to have them coincide with New York State regulations; and further, that the matter of the license fee charged for the taking of these fish should be left with the Department.

It was decided that the recommendations that the Province should be zoned for purposes of angling be further investigated.

No action was taken on miscellaneous recommendations to prohibit trolling from motor boats and to limit the capacity of minnow containers used by anglers.

It was decided that the recommendations to prohibit the use of dip nets and spears in Hamilton Bay, Grand River and Jordan Harbour should be considered when the question of zoning the Province for angling purposes is being investigated.

Recommendations of the Frontenac Commercial Fishermen's Protective Association were dealt with as follows:



- (a) No action with reference to Deputy Game Wardens.
- (b) Concerning the removal of coarse fish from certain waters. This is now being taken care of by the Department.
- (c) Concerning the issue of resident domestic license for the taking of herring and whitefish. This is now being taken care of by the Department.
- (d) Concerning an extension of the hoop-net fishing season in international waters. Referred to the Department for consideration.
- (e) Concerning gill-net fishing in the western extremity of St. Lawrence River. Referred to the Department for consideration.
- (f) Concerning fees for night-line licenses. Referred to the Department for consideration.

A recommendation for the establishment of game-fish sanctuaries was referred to the Department for attention and no action was taken on the recommendations for the reopening of Kowkashkagama and Esnagami Lakes.

No action was taken on the recommendation that Fire Rangers should be appointed Deputy Game Wardens.

A recommendation for co-operation as between Ontario and Quebec authorities to secure better enforcement was referred to the Department.

The Committee approved the principle of the recommendation in favour of increased staff for field and scientific work but recognized that any such action would depend upon the provision of a sufficient appropriation for the purpose.

No action was taken on a recommendation to instruct Magistrates as to the imposition of maximum penalties in certain offences.

Recommendations as to a study of the fish-slide problem and for restocking of Algoma waters were referred to the Department for attention.

The meeting adjourned at 12.45 p.m.

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## FIFTH MEETING

Wednesday, March 7th, 1934.

The meeting was called for 1.30 p.m.

Mr. McLean was in the Chair and the following additional members of the Committee were in attendance:

Messrs. Acres, Aubin, Bell, Bragg, Challies, Craig, Davis, Ecclestone,

Hambly, Harrison, Hill, Hutchinson, Kennedy (Temiskaming), Lancaster, Lyons, Murphy (Beaches), McLean, Newman, Oliver, Raven, Reid, Ross, Sangster, Staples, Stedman, Strickland, Taylor, Wilson (Lincoln).

After consideration of recommendations with reference to the taking of bear, the Committee decided in favour of issuing licenses to hunt bear where conditions were such that action along these lines would not be undesirable.

No action was taken on other recommendations in connection with bear, such as prohibiting the use of steel traps; firearms only should be used for the taking of these animals; that they should be hunted only during the fall of the year, and that a bounty should be provided to encourage their destruction.

Recommendations regarding the conditions which governed the retention of bears in captivity, as well as purchase of bear cubs for exportation, were referred to the Department for consideration.

It was decided that the provisions of Section 34, Subsection 6, of The Game and Fisheries Act, which authorize the establishment of regulations for the raising of pheasants, should be extended to include other species of game birds.

No action was taken on recommendations regarding birds of prey, snapping turtles and weasels.

No action was taken on the recommendation for an open season on caribou in a portion of the northwestern section of the Province.

No action was taken on the recommendations in connection with changes in the open seasons for the taking of deer and moose, while recommendations for an open season for deer in the Counties of Carleton, Huron and Grenville were referred to the Department for consideration.

The Committee recommended a five-year close season for moose in that portion of the Province lying south of the French and Mattawa Rivers.

No action was taken on various recommendations for changes in the regulations as they apply to the shooting of ducks as follows:

- (a) Change in the open season.
- (b) Feeding for purposes of shooting.
- (c) Methods of transportation to and from shooting grounds and the use of hides.
- (d) Shooting during the present prohibited hours, that is, between sunset and sunrise and between sunset Saturday and sunrise on the Monday following, and the provision of other rest days to replace these periods; and
- (e) To restrict the number of firearms which may be used by any individual hunter.

While it was recommended that provision should be made to change these regulations so that the use of blinds or decoys in Hamilton (or Burlington) Bay would not be permitted at a greater distance than 75 yards from the shore or natural rush bed.

No action was taken on the recommendations concerning foxes regarding open season and protection.

It was decided that the provisions which regulate the taking of certain species of frogs should be amended so that they will not apply to green and leopard frogs as at present; and no action was taken on other recommendations.

No action was taken on recommendations concerning guides.

No action was taken on recommendations regarding fur dealers' licenses and the fees charged therefor.

No action was taken on the recommendation regarding reduction in fees for licenses to hunt deer and moose; and it was decided that badges should again be issued with all hunting licenses.

No action was taken on recommendations for changes in the conditions governing the issue of resident hunting (gun) licenses and licenses to shoot groundhogs.

Recommendations regarding changes in the open seasons on certain fur-bearing animals were dealt with as follows:

- (a) Mink—no change.
- (b) Raccoon—no change.
- (c) Skunk—no change.
- (d) Muskrat—open season in Southern Ontario to be established by Order-in-Council in future.

No action was taken on recommendations with reference to rabbits, including sale, close season, the use of ferrets and the use of greyhounds.

A recommendation regarding an open season for black and grey squirrels was referred to the Department for consideration, as were recommendations as to an open season for partridge and pheasants.

Recommendations regarding conditions which should govern the issuing of trapping licenses and other matters affecting trapping were referred to the Department for consideration.

Approval was given to an open season for otter in the present closed area south of the main transcontinental line of the Canadian National Railway.

No action was taken on the recommendations concerning the following:

- (a) Increased wolf bounty.
- (b) Restricting amount of ammunition which should be carried by hunters.
- (c) Search warrants.
- (d) Expenditure of appropriation for feeding wild fowl.
- (e) Creation of a Fish and Game Commission.
- (f) Extension of the boundaries of the Peterborough County Crown Game Preserve.

The Committee adjourned for the Session at 3.00 p.m.

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## APPENDIX No. 3

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Report and Proceedings of the Standing Committee on  
Legal Bills in Connection with Certain Charges  
Against the Government Made by One,  
Daniel McCaughrin

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Session of 1934



Report of the Standing Committee on Legal Bills  
Regarding Certain Charges Made  
by Daniel McCaughrin

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SESSION OF 1934

*To the Honourable the Legislative Assembly of the Province of Ontario:*

Gentlemen:

On Monday, February 5th, 1934, Your Honourable House referred the following matter to the Standing Committee on Legal Bills for investigation and report:

“That the charges set out in a statutory declaration made by one, Daniel McCaughrin, as published in *The Globe* newspaper in its issue of Friday, December 22nd, 1933, be referred to the Standing Committee on Legal Bills, with full power to fully investigate these charges, to summons witnesses, to direct the production of all papers and documents relating to the charges, and to report to this House with all convenient speed the evidence in connection therewith.”

Your Committee met and heard evidence in connection with this matter, on Wednesday, February 7th; Friday, February 9th, and Tuesday, February 13th, 1934, and now beg to report to the House the evidence as directed. In reporting this evidence, in order that it may follow along in chronological order, your Committee has dealt with it under the following headings:—

- (1) The appointment of Mr. McCaughrin as Magistrate;
- (2) Complaints received by departmental officials, and the resulting curtailment of jurisdiction;
- (3) The Magistrate's record as to efficiency, and suggestions as to his resigning;
- (4) Events leading up to retirement, and the meeting of Mr. Finlayson and Mr. McCaughrin on November 11th, 1933;
- (5) What took place on November 11th, 1933;
- (6) Events following the meeting of November 11th;
- (7) The meeting of Mr. Gover and Mr. McCaughrin at Mr. Finlayson's office;
- (8) The arrangement made at the meeting of November 25th, in Mr. Finlayson's office;



- (9) Mr. McCaughrin's return to Orillia, and his consultation with Mr. Harvie;
- (10) The preparation of the declaration;
- (11) The declaration reaching *The Globe* office;
- (12) Mr. McCaughrin's conference with Mr. Bayly;
- (13) Events following the interview with Mr. Bayly;
- (14) Interview by *The Star* reporter with Mr. McCaughrin;
- (15) Subsequent events not touched upon;
- (16) Why arrangement had not been acted upon;
- (17) Former precedents dealing with allowances for retiring officials;
- (18) The Declaration.

### I—APPOINTMENT

The evidence discloses that Daniel McCaughrin was appointed by Order-in-Council, dated June 17th, 1929, Police Magistrate for the Town of Orillia, the Townships of Orillia and Oro in the County of Simcoe, together with the Townships of Rama, Mara and Thorah, including the Village of Beaverton, in the County of Ontario, and the Townships of Longford, Dalton, Digby and Carden, in the County of Victoria.

The salary paid by the Province for his duties outside of the Town of Orillia was fixed at \$1,300.00.

Shortly after his appointment, he requested that an allowance be paid him by the Government to take care of clerical assistance in the office, and for rent. As a result of this, an Order-in-Council was passed, dated the 25th day of November, 1929, which allowed to Mr. McCaughrin \$200.00 per annum to cover clerical assistance and office rent, in so far as his duties as Police Magistrate outside of the Town of Orillia was concerned.

### II—COMPLAINTS

1928—

(1) A letter was received by the Attorney-General's Department, dated October 1st, 1928, from Mr. C. E. Grant, Clerk of the Town of Orillia (Exhibit 9), advising that a resolution that had been passed by the Council of Orillia on the 1st of October, 1928, asking that the Magistrate be removed, as it was not in the interest of enforcement of law and proper administration of justice that he be retained in office. As a result of this communication, a report was prepared by the then Solicitor of the Attorney-General's Department, Mr. A. N. Middleton, in which it is stated that "Mr. McCaughrin is not what could be considered in any way a good Police Magistrate . . . ." (This report is Exhibit No. 10.) Following this report, a letter was forwarded to the Clerk of the Town of Orillia by the Solicitor, Attorney-General's Department, dated October 26th, 1928, stating that "No charge of wrong doing had been made against the Magistrate, but if any person would assume the responsibility of making such a charge, giving the facts relied upon in writing, the same would have the consideration of the Department. There appears to be nothing further in connection with this complaint.

1929—

(2) The next matter that arose is contained in Departmental File No. 2389 (1929), and consists of complaints from J. A. McGibbon, Crown Attorney for the County of Ontario, regarding Magistrate McCaughrin, stating that he does not think the Magistrate is competent—that he does not want him to try any more cases before him—and asking that his jurisdiction be confined to Orillia and the County of Simcoe, and that Magistrate Bick be placed in charge of the northern part of Ontario County—and that the Magistrate had been appointing solicitors to act for the Crown Attorney without his consent.

In answer to an inquiry from Mr. Humphries, Solicitor for the Attorney-General, regarding the appointing of other solicitors without the consent of the Crown Attorney, Mr. McCaughrin in a letter dated July 2nd, 1929, says:—

“I would not even think of appointing if it were in my power, any solicitor to act for him, and I quite assure you I never have.”

This was communicated to Mr. McGibbon, who in a letter to Mr. Humphries, of August 15th, 1929, states in effect that he had so appointed other solicitors, and also states that he thinks that Mr. McCaughrin is most incompetent.

As a result of this, it appears that the Magistrate was advised to make it a point to advise Mr. McGibbon, the Crown Attorney, of cases that required his attention and attendance that came before him in the County of Ontario (for these letters, see Exhibit No. 12).

1930—

(3) In 1930, following the complaints of Mr. McGibbon, the question of jurisdiction of Mr. McCaughrin in Ontario County was dealt with by Order-in-Council dated June 13th, 1930, which in effect takes away from Mr. McCaughrin jurisdiction in the Township of Thorah and the Village of Beaverton, and transfers this jurisdiction to Colonel Bick of Cannington; and by the same Order, concurrent jurisdiction in the Township of Mara in the County of Ontario, was conferred on Colonel Bick, along with Mr. McCaughrin (Exhibit No. 14).

1932—

(4) On the 14th of December, 1932, Colonel Denison, Inspector of Legal Offices, writes the Attorney-General to the effect that he is having complaints from the Crown Attorney of the County of Ontario, regarding the behaviour of Police Magistrate McCaughrin, and suggests that jurisdiction in Rama and Mara, in the County of Ontario, be taken from him, and transferred to Colonel Bick. (Exhibit No. 15.)

1933—

(5) On the 31st of May, 1933, Mr. McGibbon wrote the Department requesting that something be done about the jurisdiction. (Exhibit No. 16.) As a result of this, an Order-in-Council was passed, dated the 6th day of June, 1933, rescinding the jurisdiction of Mr. McCaughrin in the Townships of Rama and Mara, in the County of Ontario, and transferring this to Colonel Bick (see Exhibit No. 17). After the passing of this Order-in-Council, Mr. McCaughrin had no longer any jurisdiction in the County of Ontario.

### III—RECORDS AS TO EFFICIENCY AND SUGGESTIONS AS TO HIS RESIGNING

In addition to the documentary and other evidence dealt with in Item II above, evidence was given regarding the inefficiency of Mr. McCaughrin as a Magistrate, and also suggestions as to his retiring. In this regard, the evidence shows as follows:—

(1) Colonel Denison, who has been Inspector of Legal Offices since the 1st day of September, 1931, states that in 1931 he inspected the office of Mr. McCaughrin, and felt that he was not the proper type of man to be Magistrate. He did not think he had any legal ability, nor proper poise in Court—he considered him impetuous and argumentative, and that complaint had been made to him by Mr. Tom Brown, Chairman of the Police Commission for Orillia.

In 1932, when he inspected the office, he found there was quarrelling with people in the town, and quarrelling with some of the solicitors.

That in November, 1932, Mr. McGibbon, the Crown Attorney for Ontario County, complained to him that Mr. McCaughrin had dealt with cases without letting the Crown Attorney know anything about it—and that Mr. McCaughrin's jurisdiction in Ontario County should be taken away from him. This was subsequently accomplished by Order-in-Council dated June 6th, 1933, already referred to in Exhibit No. 6.

That he had advised the Attorney-General and the officials in the Department that Mr. McCaughrin be retired.

He also states in his evidence that he received quite frank “razzing” from the people of Orillia about the Police Magistrate.

(2) Mr. Finlayson, in his evidence, states that he takes the responsibility of recommending Mr. McCaughrin for the position; that it was pressed upon him by the Returned Men of Orillia.

He also states that, since he was appointed, there had been a series of complaints. That the first trouble that he got into, in which he had to intervene, was a series of disputes with Mr. Tudhope (now Judge Tudhope of Brockville). Then Mr. W. A. Boys, K.C., of Barrie, came to him complaining that Mr. McCaughrin's conduct in Court was so bad that he was going to start an inquiry.

The next trouble was a series of complaints by Mr. McGibbon, the Crown Attorney for Ontario County (now Judge McGibbon of Lindsay), that he had seen Mr. McCaughrin and told him about these complaints, and that it could not be put up with any longer—to which Mr. McCaughrin replied that he did not want to hold the position indefinitely, but that he did not want to be kicked out—that he would resign in a few months when it cools down. Mr. Finlayson told Mr. McCaughrin that that would not do, and the proposal was that he lose his jurisdiction in Ontario County, to which he agreed—and further stated that he would later resign. Mr. Finlayson further stated that he told him the trouble was getting far beyond any control, and that it had become quite apparent that



he could not adapt himself to the work—could not learn the work—and his disposition is hopeless as a Magistrate.

Reference was also made by Mr. Finlayson to certain statements that Mr. McCaughrin made in disposing of some liquor case against one "Purvis," who had been dismissed as a Provincial Constable—that while the Magistrate may have been justified in dismissing him, yet in so doing he gave him a certificate of character, saying what a wonderful man he was, which was published in the papers. It was a joke all around Orillia, and made it very difficult to carry on the administration of justice when that sort of thing was being done.

(3) The Honourable Mr. Price, Attorney-General, in his evidence where he speaks about an interview he had with Mr. McCaughrin in December, 1933, states that he told Mr. McCaughrin that he had a very great number of complaints about him as Magistrate—that he had really been long suffering as Attorney-General—and if it had not been for the Veterans appealing to him personally—Mr. Finlayson appealing to him steadily on his behalf—that he would have retired him.

#### IV—EVENTS LEADING UP TO RETIREMENT AND THE MEETING ON NOVEMBER 11TH, MR. FINLAYSON AND MR. MCCAUGHRIN

The evidence of Mr. Finlayson shows that he recognized that Mr. McCaughrin was hopeless as a Magistrate, and that sooner or later had to be disposed of. The series of complaints, and the evidence of incompetency as disclosed by the evidence, and the attitude of the Inspector of Legal Offices and departmental officials in regard to this official, shows that the retirement of this official was desirable.

There is in evidence the fact that Mr. Finlayson had discussed these various complaints with the Magistrate, and that Mr. McCaughrin had it pointed out to him sometime before November, 1933, that he could not go on, and had suggested that he would resign. The evidence discloses that the matter must have been given some consideration, because the Inspector of Legal Offices, Colonel Denison, states that he told Mr. Gover, the Magistrate at Coldwater, in August, 1933, that he thought a change was likely to be made, and he hoped that he would be appointed for Orillia, as there were too many Magistrates in the County of Simcoe. The evidence does not disclose how Mr. McCaughrin had any idea of a consolidation of the offices, but he wrote a letter to the Attorney-General, dated the 8th of November, 1933 (Exhibit No. 5), in which he states that it had been hinted to him that there may be a consolidation of some of the Magistrates jurisdiction in Ontario, such as Magistrate Gover's and his own. In this letter he also speaks about his financial position—that the statement that he has a good income was in error—that his house in Orillia was a small cottage—that he receives a monthly pension from the Army and the Canadian Pacific Railway, but they are not very great in amounts; also that he has five bonds at four per cent. He also states in this letter that if there be any probabilities of a consolidation, he would ask, if he be the unfortunate, to reduce his pay from the Province, or permit his remaining in the position until midsummer, as Mrs. McCaughrin has been an invalid since 1920.

Colonel Denison states in his evidence, that on the day before Remembrance



Day, 1933, Mr. Finlayson rang him upon the telephone and told him he was going to Orillia, and would probably meet Mr. McCaughrin, as there may be something done about a change; and would it be satisfactory if Mr. Gover were appointed Magistrate for Orillia, to which Colonel Denison replied—eminently so and that he would be very pleased to see Gover take over.

Colonel Denison also states that he found Mr. Gover an exemplary Magistrate, that he was Secretary-Treasurer of the Police Magistrates' Association of Ontario.

It is also in evidence that Mr. Finlayson also spoke to Mr. Humphries a day or so before November 11th, 1933, about this Magistrate, and that Mr. Humphries told Mr. Finlayson that something would have to be done at Orillia—it cannot go on indefinitely the way it is; and that Mr. Finlayson should see Colonel Denison, the Inspector of Legal Offices.

#### V—THE MEETING AT ORILLIA ON NOVEMBER 11TH, 1933

The evidence shows that Mr. Finlayson met Mr. McCaughrin at Orillia in the Y.M.C.A. Building, on the 11th day of November, after the Remembrance Day services. Mr. Finlayson's evidence is, that in walking up the stairs in the Y.M.C.A. Building at Orillia, on November 11th, Mr. McCaughrin asked him, "What is this I hear about combining Coldwater and Orillia jurisdictions?" to which Mr. Finlayson replied that the Attorney-General's Department was very much in favour of it, and as he had a series of rows, that it would be a fine time to do it when he had no row on, and he could get out gracefully. To this Mr. Finlayson says Mr. McCaughrin replied—"I told you I would resign and I never intended to hold it for a long time." They then entered a room in the building, and later Mr. McCaughrin asked Mr. Finlayson to come out of the room that he wanted to have a talk with him. Then they went out of the room, and Mr. McCaughrin said to him, "If I have to get out, I hope something can be done for me the way it was done for Mr. Cotter when he resigned."

Mr. Cotter had been Crown Attorney, Clerk of the Peace, and Local Master of the Supreme Court, for some sixty years; and at the time of his retirement was eighty-eight years of age, and had been ill—and an arrangement was made whereby the Government paid him a compassionate allowance of \$1,000.00, and his successor in office paid him one-half of the net proceeds of the offices up to the amount of \$3,500.00 during his lifetime.

Mr. Finlayson replied to Mr. McCaughrin that he did not know that Mr. Gover would take the position, and that he had never spoken to him. Mr. McCaughrin then told Mr. Finlayson that he had recently had some losses in stock, in which he had lost \$4,000.00, and if he could get that, he would be satisfied. Mr. Finlayson says he replied and said he knew nothing about Gover, as to whether he could pay \$4,000.00 or any amount. Mr. McCaughrin then said that he would take \$3,000.00—and Mr. Finlayson told him that he could not give it to him—that he had no control over it, and that there was no fund out of which it could be paid in Toronto. Mr. McCaughrin then said he would take \$3,000, and asked Mr. Finlayson if he would see him, to which Mr. Finlayson replied that he would see the Attorney-General, and find out if the

thing could go through, but that first he should know whether McCaughrin was going to resign. Finally, Mr. Finlayson stated he would speak to Gover, to see if he would take the position, but that the amount Gover would pay, if any, was a matter between McCaughrin and Gover. Mr. McCaughrin asked Mr. Finlayson to see Gover.

Mr. McCaughrin, in his evidence, differs from Mr. Finlayson. He says that Mr. Finlayson said to him, "I think I can get you \$3,000 and that he never told him what for, or where the \$3,000 was coming from, and that he, McCaughrin, presumed that he was going to receive \$3,000, and when asked what for, replied, "God only knows; I don't." Mr. McCaughrin states also that nothing more was said—but Mr. Finlayson remarked that he would write him. Mr. McCaughrin also stated in his evidence, that when Mr. Finlayson said, "I think I can get you \$3,000," that he remarked, "Oh no—I would want \$4,000.00—I said that jokingly," and when asked what he wanted \$4,000.00 for, Mr. McCaughrin replied, "I do not know yet," and when asked what he thought Mr. Finlayson was referring to, said, "for the small salary I suppose I had been receiving."

#### VI—EVENTS FOLLOWING MEETING OF NOVEMBER 11TH, 1933

##### (1) *Letter, McCaughrin to Finlayson, November 13th*

On the 13th day of November, 1933, Mr. McCaughrin wrote a letter to Mr. Finlayson, in which he states that he overlooked telling Mr. Finlayson that he had written Thursday of last week to Colonel Price, that he had gotten some suggestion that there might be some changes in the jurisdiction. Also he states in that letter that he had to attend with Howard Gover an executive meeting in Toronto on November 25th, and "I shall give you a call by which time you will be able to give me idea of developments."

Mr. Finlayson's evidence then is to the effect that he telephoned Gover and asked him if he would accept Orillia jurisdiction. Nothing definite was arranged.

##### (2) *Meeting Gover and Finlayson, November 16th*

Mr. Finlayson, on the 16th of November, 1933, after attending the funeral of Mr. W. H. Tudhope, met Mr. Gover in Orillia. The evidence shows that at this conference, Mr. Finlayson told Mr. Gover that he did not think the Attorney-General would put up a dollar for McCaughrin, and when Gover mentioned \$1,500.00, spread over two years, Mr. Finlayson stated that any arrangement with Mr. McCaughrin was a matter entirely between themselves.

##### (3) *Letter, Finlayson to McCaughrin, November 18th*

As a result of the letter from McCaughrin of the 13th, stating he was coming down on the 25th, and the talk with Mr. Gover on the 16th, Mr. Finlayson wrote a letter to Mr. McCaughrin, dated November 18th, 1933 (Exhibit No. 5), stating he had made a little progress, and noting that both he and Gover coming

down on the 25th—that perhaps they could arrange to come to his office to discuss the matter.

Mr. Finlayson explains that when he stated in the letter that he had made a little progress, he means that he had seen Gover and Gover was willing to go to Orillia.

VII—THE MEETING, NOVEMBER 25TH, MR. GOVER, MR. McCAUGHRIN  
AND FINLAYSON IN FINLAYSON'S OFFICE

Mr. Finlayson states that they sent him word that they had their meeting in the morning, and could not come then, so 2.30 was arranged."

Mr. McCaughrin was waiting when he arrived, and Mr. Gover came in two or three minutes afterwards.

That it appeared that they had been on the train together talking the situation over and Gover was quite willing to take the Orillia position, and they talked about an allowance of \$1,500.00 spread over two years, and McCaughrin wanted more.

Mr. Finlayson states in evidence that he told them, "That is a matter between the two of you," and finally McCaughrin said that he would take \$2,000. Gover said, "Alright, if you want to make the \$500.00 over three years." Mr. Finlayson states that it did not take three minutes, because they talked it over in the morning, all preliminaries had been talked over on the way down.

Mr. McCaughrin in his evidence states that at the meeting Mr. Finlayson said to Gover and himself, "You fellows get together and come to some arrangement"—that Mr. Gover said, "I can give you \$1,500.00," and he said "Nothing doing"—and in his evidence states that he was leading on, that he was not serious, he wanted to draw some more fire—Gover then said, "I will give you \$2,000.00, and that he had made some remark, but it was not accepting it.

Mr. McCaughrin also stated that Mr. Finlayson dictated the terms. Mr. Finlayson says that he did not dictate it all, but that he did dictate the provision that it was "subject to the approval of the Department of the Attorney-General, by whose officers the details are to be worked out."

VIII—THE ARRANGEMENT MADE AT THE MEETING, NOVEMBER 25TH, IN  
MR. FINLAYSON'S OFFICE

Two documents were prepared at this meeting:—

- (1) *The Resignation of Mr. McCaughrin* (Exhibit No. 19);
- (2) *The Agreement* (Exhibit No. 20).

Mr. Finlayson stated in evidence that he said to McCaughrin if he wanted to write his resignation and leave it with him, he could do so, and McCaughrin passed the pad over to Gover, saying, "You write better than I do"—and Gover



wrote out the resignation (Exhibit No. 19), which was signed by Gover. The resignation was to take effect December 31st, and was signed by McCaughrin.

The agreement provides that as Mr. McCaughrin being about to resign the office of Police Magistrate of Orillia District, and it being desired to provide a retiring allowance, and there being no provision for such allowance, and it being proposed to combine the Orillia and Coldwater jurisdictions, that Gover provide a retiring allowance as follows:—

“Seven hundred and fifty dollars for 1934, payable quarterly, in advance.

“Seven hundred and fifty dollars for 1935, payable quarterly in advance, and five hundred dollars for 1936, payable quarterly in advance. First payment on or before January 1st, 1934.

“Subject to approval of the Department of the Attorney-General by whose officers the details are to be worked out. (Exhibit No. 20.)”

*This was signed by Mr. Gover.*

Mr. Finlayson states in his evidence that the agreement was never intended as a contract, just as a basis to get something signed by each of them, if the Attorney-General approved of it, and the officers could work it out all right.

Mr. Finlayson also says in his evidence that McCaughrin raised the question of security, which was raised—and also some question about furniture in the office, and other minor details, and that McCaughrin told him about his pensions. Mr. Finlayson thinks this was the time that McCaughrin told him about his invalid wife and his \$70.00 pension from the C.P.R., and his \$60.00 pension from the Military.

#### IX—MCCAUGHRIN'S RETURN TO ORILLIA AND CONSULTATION WITH MR. HARVIE

##### (1) *Consultation with Mr. Harvie*

Mr. McCaughrin states that when he arrived home on the night of the 25th of November, he thought that it was the most shocking proposition that was ever offered to him in his life.

Mr. Harvie, a solicitor at Orillia, who was the Liberal candidate opposing Mr. Finlayson at the last election, stated that shortly after Mr. McCaughrin came back from the meeting of the 25th of November, he was consulted by Mr. McCaughrin, and was told what had taken place in Mr. Finlayson's office. McCaughrin stated to him he did not think he was getting enough.

Mr. Harvie states at this conference that there was not much discussion but he remembers saying it was unusual that Gover was paying the money for the retiring allowance.

The next matter that comes along is a letter from Mr. McCaughrin to Mr. Finlayson.



(2) *Letter, McCaughrin to Finlayson, December 2nd, 1933*

In this letter, Mr. McCaughrin mentioned that he has been thinking over the arrangement, and also points out that on Armistice Day, Mr. Finlayson stated he thought he could arrange \$3,000.00. That he cannot accept the \$2,000.00 offered, and that he wishes to retain his appointment until at least April, 1935, and to return the resignation and consider the same withdrawn.

(3) *Next Interview with Mr. Harvie*

Three or four days after the letter of the 2nd of December was sent, McCaughrin came to see Mr. Harvie, and showed a copy of it to Mr. Harvie. Mr. Harvie stated that it was discussed, and also stated that he thinks he said he ought to get three or four thousand dollars from the Government, because at that time he decided he should not take anything that came direct from Gover.

(4) *Meeting with Attorney-General*

After Mr. Finlayson received Mr. McCaughrin's letter of December 2nd, Colonel Price states that Mr. Finlayson asked him to see McCaughrin and an appointment was made for December 6th, 1933.

Mr. Finlayson also states in his evidence that he telephoned to McCaughrin after receiving the letter of the 2nd of December, and asked him what he meant, that he had seen some interviews in the paper, saying he had resigned, and next day another paper saying he had put in a tentative resignation. Mr. Finlayson states in evidence that at this conversation he asked him what he wanted, and McCaughrin stated, "I am not satisfied with that money, I do not know how I got down to that—I was to get \$3,000," to which Mr. Finlayson replied that he had not promised him one cent—and further that he would not have anything further to do with him, and did not answer his letter. At this interview, Colonel Price states in his evidence that he told McCaughrin about the complaints he had about him, and that had it not been for the Veterans appealing to him personally, and Mr. Finlayson, that he would have retired him. That as it was, he had taken away part of his jurisdiction on two occasions, feeling that in time he might make a better Magistrate.

Colonel Price further stated in evidence, that in view of these facts and of Mr. Finlayson trying to do something for him, that the Department had been anxious that he would not be dismissed without some kind of provision, and that as he had only been there for six years, it was impossible to make any adequate provision like the Cotter case. That he had entered into these negotiations and apparently came to an arrangement, and it seemed inexplicable that he could write a letter like the one of December 2nd referred to.

The Attorney-General stated that he told him he was not going to consider it at all until he withdrew this letter. That he did not propose to discuss with him the situation at all after he made the statements in the letter. That if he felt like withdrawing the letter, and discussing the matter of his resignation and retirement on an open basis, without reflecting on anyone who has tried to do anything for him when he was inefficient, that he (the Attorney-General) would give consideration to it.

Mr. Price further stated that Mr. McCaughrin became quite apologetic, and stated that he felt probably if it goes through the Department, it would be all right.

It was then the Attorney-General stated to him that Mr. Humphries and the Inspector of Legal Offices look after these matters, and that it would be referred to them. Mr. McCaughrin then mentioned a month's leave, or that he be allowed to carry on for six months. To this proposition, the Attorney-General says that he stated to him that he would consider the whole matter; find out how far it had gone, and when Mr. Humphries came back from Windsor, where he was representing the Department in an investigation, he would have the matter brought before him and the Inspector of Legal Offices. He replied that that would be very good, and the Attorney-General was to let him know; as he was leaving he asked, "Could you not make that \$3,000.00?" To this Colonel Price states he said, "I think a man who is in for six years and if his successor, with the approval of the Department, is willing to make some kind of allowance of \$2,000.00, you are doing very well; but I will consider the whole thing from every angle."

(5) *Events after Meeting with Attorney-General*

(a) *The Attorney-General's Letter, December 12th*

The Attorney-General states in his evidence that he found out from the Department that Gover had been notified, as Mr. Finlayson intimated he had talked about renting a house, and he had gone on in good faith he felt when he wrote his letter to Mr. McCaughrin, dated December 12th, 1933 (Exhibit No. 5), that it would be quite unfair when everybody had acted in good faith, to allow someone to come along who just wanted to raise the ante—and he had made up his mind to accept his resignation, and he did. Also that Gover should be appointed, and he had papers drawn, but in none of those papers was anything said about the arrangement that he had arrived at, because that was for the Department to handle. The letter of December 12th, to Mr. McCaughrin, advises him that his resignation had been accepted; that he had been advised; Gover had been notified, and that the arrangement should be carried out, and that there be finality concerning it.

(b) *What McCaughrin did after Receiving the Letter of the 12th*

Mr. Harvie in his evidence stated that Mr. McCaughrin brought to him Colonel Price's letter of December 12th, and it was discussed, and they decided to write Mr. Price.

That he had given some suggestions about this letter, and that at that time Mr. McCaughrin and himself had decided to write this letter for the purpose of getting a reply from Mr. Price; that it was partly laying a trap.

Mr. Harvie also stated that it may be put this way, namely—"That while Mr. Price and Mr. Finlayson on their end were dealing with a man they were trying to get some retiring allowance for, he was trying to entice them on to make what he had already made up his mind to was an improper proposal."

*(c) Acceptance of Mr. McCaughrin's Resignation*

Mr. Finlayson states that after the meeting in his office on November 25th, 1933, he tried to get Mr. Humphries so he could tell him about it, but he was away in Windsor on an inquiry, and remained away a long time; but he saw the Attorney-General, and told him that the thing was getting arranged, and that the resignation would be put in now; but the other arrangement, the Attorney-General told him, will have to be worked out by Humphries, he was away, and it was not known when he would get back. Mr. Finlayson then sent the Resignation to the Attorney-General, and by Order-in-Council, dated the 12th day of December, it was accepted. (Exhibit No. 22.)

*(d) Letter, December 14th, to Mr. Price*

Then comes the letter of December 14th, 1933, from Mr. McCaughrin to Mr. Price (Exhibit No. 5). In this letter, reference is made to the letter of December 2nd, which indicated the withdrawal of his resignation, and refusal to go through with the arrangement with Gover to pay him \$2,000.00, because on second thought his conscience would not permit him to accept the money. The letter also refers to Mr. Price's letter of the 12th, and states that he does not understand that part of it where it states there might be certain things he could be asked to do as special work, and before making a final decision would like to know what is meant. He further asks that a copy of the agreement be sent him.

There was no reply sent to this letter.

Mr. Harvie also says in his evidence that at the "kick-off" the "chief dissatisfaction" of Mr. McCaughrin was "the amount," but that "later on he got worked up to the place where it was a trafficking in office."

*(e) Gover's Letter to McCaughrin, dated December 14th, 1933*

Gover wrote a letter to McCaughrin, dated December 14th, 1933.

(Exhibit No. 5.) In this letter he advised Mr. McCaughrin that he had received notice that the arrangement had been approved and encloses a cheque for \$187.50 to cover payment due on 2nd January, 1934, next, that Mr. Finlayson requested him to do so perhaps as an earnest of good faith, that he was glad to do it, though he did not think it would occur to Mr. McCaughrin that there would be any question about the arrangement being faithfully carried out. Also that no doubt they would be able to co-operate in the same happy relations which under all circumstances they had hitherto always maintained.

*(f) Mr. McCaughrin's Letter to Mr. Gover, December 16th, 1933*

The next piece of evidence is a letter from Mr. McCaughrin to Mr. Gover, dated December 16th, 1933, in reply to Mr. Gover's letter of December 14th. (Exhibit No. 5.)

Mr. Harvie states he saw Mr. McCaughrin after he had received the letter from Mr. Gover and had mailed back the cheque, and when he found out that McCaughrin had not kept a copy of that letter, he advised him that he had better



write and confirm what he had said, and this letter of the 16th is the confirming letter.

It is stated in this letter that Gover and McCaughrin met Mr. Finlayson in his office at his request, November 25th. That he seemed to have a cut-and-dried arrangement, without reference to him (McCaughrin); that he dictated an agreement without consulting him as to terms; that he refused to have anything to do with it until it had been submitted to the Attorney-General; that he deems the arrangement traffic in an important office; that he didn't feel it was proper, or even decent; that he could not accept money from Gover which would be tainted—nor permit himself to be a party to this nefarious traffic in Government appointments. And expresses himself as being amazed that he would even consider it, and that Gover would permit himself to be a party to it.

To this letter Mr. Gover replies by letter dated December 18th, 1933. (Exhibit No. 5.)

(g) *Letter from Mr. Humphries to Mr. McCaughrin, dated December 18th, 1933*

This is a formal letter, simply enclosing a copy of the Order-in-Council of December 12th, accepting McCaughrin's resignation. (Exhibit No. 5 (12A).)

Mr. Harvie states in his evidence that he next saw Mr. McCaughrin when he brought up to him this letter from Mr. Humphries, enclosing the Order-in-Council. That the only thing that took place was that Mr. McCaughrin expressed his desire to expose the whole business.

#### X—THE PREPARATION OF THE AFFIDAVIT

A Statutory Declaration was filed, dated the 20th day of December, 1933. (Exhibit No. 1.)

Mr. Harvie states in his evidence that Mr. McCaughrin told him it was prepared by Harry Johnston, the Secretary of the Liberal Association in Ontario, at Orillia. That Mr. McCaughrin told him he got in touch with Harry Johnston through Mr. George McLean of Orillia, who was the Liberal candidate in the last Federal election, defeated Liberal candidate.

That he was told the declaration had been typed in George McLean's office.

##### (a) *Taking the Declaration*

Mr. W. G. Bingham states in his evidence that 9 to 9.15 in the evening of the 20th day of December, 1933, Mr. George McLean phoned him that he had someone in his office who wanted an affidavit sworn. He met McCaughrin and another man he did not know, to whom he was not introduced, a stranger, and after making the affidavit into a Statutory Declaration with necessary changes, took Mr. McCaughrin's declaration to the same. He identifies Exhibit No. 1 as the document.

Mr. McCaughrin states that he met Harry Johnston in Mr. George McLean's office in Orillia on the 20th day of December, the night before he



saw Mr. Bayly at the Parliament Buildings; that he gave the details and left it with Harry Johnston to make up its contents.

Harry Johnston was the man who went with Mr. McCaughrin to Bingham's office.

#### XI—THE DECLARATION REACHING "THE GLOBE" OFFICE

Mr. McCaughrin states he brought the declaration to Toronto with him on the 21st day of December, when he came to see Mr. Bayly, and he went with Harry Johnston in the morning before he came to see Mr. Bayly, to *The Globe* office and left it there, together with the correspondence, all of which was later published in the issue of *The Globe* of December 22nd and 23rd, 1933.

That Mr. Roebuck came into *The Globe* office during the checking over with Mr. Hudson, the Business Manager of *The Globe*, of the Declaration, but he had no conversation with him.

Mr. McIntosh, Assistant Managing Editor of *The Globe*, states that he was in Mr. Anderson's office; that Mr. McCaughrin, Mr. Harry Johnston and Mr. A. W. Roebuck were there talking about some of these documents about 6 o'clock in the evening of December 21st, 1933. Mr. McIntosh produced the declaration (Exhibit No. 1) and a file of correspondence. The documents had lain in *The Globe* office since they were brought there. (Exhibit No. 5 contains all the letters and documents.)

Mr. McIntosh says that he noticed that the declaration first started out to be an affidavit, and his recollection is that he asked Mr. Roebuck the difference between affidavit and declaration at the time.

#### XII—CONFERENCE BY MCCAUGHRIN WITH MR. BAYLY

Sometime after receiving Mr. McCaughrin's letter of December 14th, Mr. Price in his evidence stated that he spoke to Mr. Bayly, that he had better see McCaughrin and see what had changed his attitude, and Mr. McCaughrin came to see Mr. Bayly on the 21st day of December, 1933.

Mr. McCaughrin stated that Mr. Bayly told him at the interview that he was commissioned to allow him to remain on the position for six months, and the contract would be returned and also the resignation. To which Mr. McCaughrin said he replied that he wanted nine months instead of six. Mr. Bayly replied that he could not promise, and Mr. McCaughrin then stated that "I will go home and consider the nine months." There was nothing definite—it was left at that.

When Mr. McCaughrin was in Mr. Bayly's office, he did not have the declaration with him—it was at *The Globe* office.

Mr. McCaughrin stated that in the morning when he went to *The Globe* office with the declaration and documents, he told Harry Johnston and *The Globe* officials to hold them, because he was going to see the Attorney-General to see if he could get this straightened out to his satisfaction, and if he could not and if he told them to publish them, then they were to publish them.

## XIII—EVENTS FOLLOWING THE INTERVIEW WITH MR. BAYLY

After the interview with Mr. Bayly and after Mr. McCaughrin had left Mr. Bayly's office, he states he went and saw Harry Johnston and they went to *The Globe* office and consented to the publication.

After the long and friendly interview with Mr. Bayly there was a difference of three months between them, McCaughrin wanted nine months and Mr. Bayly thought he could get six. The matter had not been settled and Mr. McCaughrin was asked why he did not wait until Mr. Bayly had told him whether his efforts were to be successful or not, to which he replied: "A very good reason and the reason is this: He said to me, 'I cannot promise you anything but I will do what I can.' I was not taking any chances on what would offer." Mr. McCaughrin also stated that if Mr. Bayly had settled with him for nine months right then that most likely that would have been an end to it.

## XIV—INTERVIEW BY "THE STAR" WITH MR. MCCAUGHRIN

In the issue of *The Toronto Star* of December 26th, 1933 (Exhibit No. 18) appears a statement given by Mr. McCaughrin to a reporter in reference to the statement of the Attorney-General, charging that Mr. McCaughrin was a double crosser, that he had the affidavit in his pocket when he was in to see Mr. Bayly, Mr. McCaughrin is reported as saying, "I never double crossed anyone in my life that I know of. He says that all the time I was in Mr. Bayly's office talking over the terms of my retirement that I had that affidavit in my pocket ready to give to the Liberals—that is not true for I had no such thing—the affidavit wasn't even prepared then."

On being asked about this, Mr. McCaughrin states that he did not tell *The Star* that the affidavit was not prepared at the time that he was in Mr. Bayly's office. He further states that no one from *The Star* interviewed him about this question, and in answer to the question, "Then they fabricated this interview," answered, "I do not know where they got that but they did not get it from me."

Mr. Keith Munroe, a reporter for *The Star*, states that an interview did take place with Mr. McCaughrin, that he called him himself on the telephone, telling him who he was and why he was calling and states that he remembers Mr. McCaughrin telling him that the affidavit was not prepared at the time he was in Mr. Bayly's office. The questions and answers as they appear in the evidence are as follows:—

Q. You told him it was *The Star* that was calling?

A. Yes, I explained to him that the Attorney-General had called him a "Double Crosser," saying that he had the papers prepared at the time he was in seeing Mr. Bayly.

Q. That was the gist of the interview, was it not?

A. That was all I called him for.

A. And his answer was what?

A. His first answer was, he said, "It is a lie, a foul dirty lie," and then a little later in the interview he asked me, he said, "I was a little too strong, I would rather not say that, I would just say it is a falsehood."

Q. Then your report continues that he said, "The affidavit was not even prepared then," at the time he was in Mr. Bayly's office?

A. Well, that is the whole reason I called him and asked him that.

Q. You remember him telling you distinctly that the "Affidavit was not prepared at the time he was in Mr. Bayly's office?"

A. Exactly, that is why he said "it was a lie, a foul, dirty lie." At least, that is what I understood by his—

#### XV—SUBSEQUENT EVENTS NOT TOUCHED ON\*

A. L. Church, Chief of Police of Orillia, states he had two conversations with Mr. McCaughrin since he has been out of office.

On one occasion Mr. McCaughrin came into his office and asked if he could leave a desk in there, that he was not going to take out all his belongings from his office because he expected to be back in office in about four months. That he expected to be out on the hustings against the Government pretty soon, as soon as he came back.

Mr. McCaughrin in his evidence when asked about a conversation with the Chief of Police of Orillia that he was not even going to move his office furniture out because he would be soon moving it back later on, says that that conversation meant that he expected to be cleared of everything they brought up against him, and he might be reinstated.

And when asked, "Reinstated by whom," answered, "By the Conservative Party, when they regained—"

#### XVI—WHY ARRANGEMENT MADE ON NOVEMBER 25TH HAD NOT BEEN ACTED UPON

The agreement made in Mr. Finlayson's office on November 25th, 1933, was made "subject to approval of the Department of the Attorney-General, by whose officers the details are to be worked out."

Mr. Humphries states in his evidence that in the ordinary course of events this would have come to him to be worked out, that he was away in Windsor as Counsel for the Commission investigating Shelter charges, that he was only in his office two Saturday mornings in December and did not complete the work until December 21st, that he had not seen the agreement as it could not be placed before him as he was away; that the agreement never came before the Department nor before him, nor did the Attorney-General's Department at any time work it out or approve of it.

#### XVII—FORMER PRECEDENTS

Mr. Humphries produced a number of files and cited a number of cases where arrangements were made to take care of officials who were retired on the grounds of incompetency, age and inefficiency.



A memo of these were filed as Exhibit No. 21 and are as follows:—

Exhibit No. 21 (1-17)

RE McCAUGHRIN

A LIST OF PRECEDENTS FILED WITH THE COMMITTEE UNDER THE  
INSTRUCTIONS OF THE INVESTIGATION COMMITTEE

February 12th, 1934

(1) 1898—*Hon. A. D. Hardy.*

SHERIFF, LEEDS AND GRENVILLE

On September 10th, 1898, Mr. James Smart, Sheriff of the United Counties of Leeds and Grenville, was retired and the report showed that Mr. Smart had been Sheriff for about fifteen years and was eighty years of age and for some years had been in a feeble state physically. It was agreed that the incoming Sheriff, Mr. George Augustus Dana, should pay to Smart the sum of \$1,200 per annum, payable monthly, and sureties were provided. This arrangement was confirmed by Order-in-Council.

On March 18th, 1902, Dana resigned, complaining that the net revenues of the office were not sufficient to pay the ex-Sheriff the sum stipulated. Action to recover was brought on the bond, which was held valid.

File 1820—Year 1902.

File 5354—Year 1898.

(2) 1899—*Hon. A. S. Hardy*

CLERK OF THE PEACE, YORK COUNTY

This retired official was advanced in years, and his health had failed, and in order to make provision for his maintenance the following arrangement was made:—

His successor to pay \$900 per annum for a period of five years, if he shall live so long, and if not, then during his lifetime, to be paid to him by his successor in office, and that the same be so reserved to him in the patent appointing his successor, and to be secured to him also by an agreement or bond of his successor in office, with two sureties in the sum of \$1,000, the said sum of \$900 to be payable to him in equal quarterly payments during the said period of five years, or until his death if such event should happen before the expiry of the five years.

Order-in-Council in this case has been already published.

Order-in-Council dated February 24th, 1899.



(3) 1919—*Hon. W. E. Raney*

## REGISTRY OFFICE, SIMCOE COUNTY

(Sanderson &amp; Montgomery)

Registrar was appointed March, 1918. There was a deputy in the office, and an arrangement was made that he be kept on as a consulting clerk at half his salary. The deputy was physically incapacitated and being an old official this arrangement was made.

This payment was made out of the fees of the office, which would otherwise have gone to the new Registrar. The Attorney-General in 1919 was interviewed as to the right of the Inspector of Legal Offices to allow payment as a disbursement of the amount payable to the deputy. An action was commenced by the County, which was interested in the percentage payable on surplus fees, and the action was dismissed, and on appeal the judgment of the trial judge was upheld. (Judgment given November 15th, 1921.)

File 3007—Year 1919.

(4) 1921, January—*Hon. W. E. Raney*LOCAL REGISTRAR, SUPREME COURT OF ONTARIO, COUNTY COURT  
CLERK AND SURROGATE REGISTRAR, KENT COUNTY

In this office when the Registrar resigned there was a Deputy, who had become physically incapacitated.

Before a new appointment was made, the then Attorney-General directed the Clerk of the Peace, who takes charge of these offices when there is a vacancy, to pay \$50 a month to this Deputy.

When the appointment was made, the new appointee was instructed by the then Attorney-General to pay to this Deputy \$50 a month during his lifetime, although he never worked in the office.

This was acceptable to the new appointee who carried out the directions and made the payments.

File marked "A"—Year 1920-1921.

(5) 1922—*Hon. W. E. Raney*

## CROWN ATTORNEY AND CLERK OF THE PEACE, LINCOLN COUNTY

An arrangement was made whereby the Crown Attorney and Clerk of the Peace was retired as and from December 31st, 1922, he to receive an annual compassionate allowance of \$1,200 and an Order-in-Council was passed, dated December 20th, 1922, whereby, it appearing that the official is incapacitated through illness from properly and efficiently performing the duties of his office

and having consented to retire, it was provided that he receive an annual compassionate allowance of \$1,200 during his lifetime.

File 3288—Year 1922.

(6) 1923—*Hon. W. E. Raney*

#### TORONTO REGISTRY OFFICE

The retirement of Peter Ryan as Registrar for the City of Toronto, which retirement was arranged by amalgamating the two Registry Offices, retiring Mr. Ryan on a pension paid out of the fees and the appointment of Mr. Currey as Registrar. This was put through by an amendment to The Registry Act, Section 119, page 1581, R.S.O.

(7) 1923—*Hon. W. E. Raney*

#### POLICE MAGISTRATE, BRUCE COUNTY

Compassionate allowance paid to the retiring Magistrate.

September, 1923.....	\$250
August 11th, 1925.....	250
August 25th, 1926.....	250

2932

(8) 1923—*Hon. W. E. Raney*

#### POLICE MAGISTRATE, DUFFERIN COUNTY

Retired Police Magistrate, promised an annual compassionate allowance at the rate of \$250 per annum as long as he should live, and in fulfillment of this promise an Order-in-Council was passed on April 3rd, 1923, making provision for the payment of \$250 for the year 1923-24 payable in two instalments. It appearing that the last instalment of \$125 was not paid to him, by Order-in-Council, dated December 17th, 1924, he was to be paid an allowance of \$375 to cover the arrears of the allowance granted for the last year, and the sum of \$250 for the present fiscal year.

File 1069—Year 1923.

(9) 1925, December—*Hon. Mr. Nickle*

#### REGISTRY OFFICE, KINGSTON AND FRONTENAC

Prior to December 11th, 1925, there were two Registry Offices—one for the City of Kingston and one for the County of Frontenac.

By Order-in-Council, dated December 11th, 1925, the offices were con-

solidated into one, and the following provision was made for the retirement of the Registrar for the Kingston office:

(1) Payment of \$1,000 by the Government as a compassionate allowance.

(2) Appointment of the retired Registrar as a deputy at a yearly amount of \$870.00 payable in equal monthly instalments—this office to be retained by the retiring Registrar for life, and to act only in an advisory capacity and not to be required to do any office work or to keep any regular office hours.

This yearly payment of course was paid by the Registrar for the consolidated offices, and has been considered as an office disbursement.

File 2982—Year 1925.

(10) 1926, May—*Hon. Mr. Nickle*

CROWN ATTORNEY, CLERK OF THE PEACE AND LOCAL REGISTRAR OF  
THE SUPREME COURT, SIMCOE COUNTY

Owing to the financial position, advanced age and infirmity of the Crown Attorney, Clerk of the Peace and Local Registrar of the Supreme Court of Ontario, and the fact that there was no provision for superannuation and the long sixty years of faithful service, the following provision was made for his maintenance on his retiring from these offices:—

(1) A compassionate allowance of \$1,000 paid by the Government.

(2) Payment by his successor in office of one-half of the net proceeds of the offices of Crown Attorney and Clerk of the Peace up to the amount of \$3,500 as received by the successor, during the lifetime of the retired official.

(11) 1926, June 25—*Hon. Mr. Nickle*

BURKS FALLS, POLICE MAGISTRATE

Compassionate allowance to retired Magistrate of \$1,000.

(12) 1926, August—*Hon. Mr. Nickle*

LOCAL REGISTRAR, COUNTY COURT CLERK AND SURROGATE  
REGISTRAR, HURON COUNTY

This official resigned owing to conditions that existed in the office caused by his physical infirmities. He had been in the service for many years and the Government paid to him a compassionate allowance of \$1,000.

File 1993—Year 1926.

2465—Year 1926.

(13) January, 1927—*Hon. Mr. Price*

CROWN ATTORNEY AND CLERK OF THE PEACE, HURON COUNTY

This retired official had given over forty years of service, and due to physical incapacities, and the fact there was no superannuation, the following provision was made for his maintenance:—

(1) A compassionate allowance of \$1,000 in 1927, of \$500 in 1928 and \$500 in 1929.

(2) A payment by his successor of \$250 a year in each year for three years.

File 372—Year 1927.

MEMORANDUM

1931—*The Honourable W. H. Price, Surrogate Registrar, County of Frontenac:*

Miss Helen Fraser in 1931, was over seventy-seven years of age, and was appointed Surrogate Registrar by the late Sir Oliver Mowat.

It was found that owing to the infirmities of age, and extremely poor eyesight coming upon her, that she was not competent to carry on the office of Registrar.

Having been for a very great number of years in this office with long service, she was retired, and the following retiring allowance was arranged:—

1. She was granted a compassionate allowance of \$600, payable by the Government by Order-in-Council, dated July, 1931.

2. Her successor in office, H. E. Richardson, who was appointed on the 15th day of June, 1931, out of the fees of the office pays Miss Fraser the sum of \$1,200 a year, as long as she lives, at the rate of \$100 per month.

(15) 1932—*Hon. Mr. Price*

POLICE MAGISTRATE, UNITED COUNTIES OF NORTHUMBERLAND AND DURHAM

Owing to ill health and physical infirmities of the Magistrate, it was arranged that a Deputy Police Magistrate be appointed for the United Counties of Northumberland and Durham and the Town of Cobourg.

The sum of \$1,200 was arranged to be paid to the Magistrate by the Government, and \$900 to the Deputy. Also that the \$900 a year salary paid by the Town of Cobourg be paid \$600 to the Magistrate and \$300 to the Deputy. The Deputy does all the work.

File 3315—Year 1932.

Fraser, 1931.



(16) 1933—*Hon. Mr. Price*

CROWN ATTORNEY AND CLERK OF THE PEACE, ELGIN COUNTY

This retired official had reached his eighty-seventh year, and on account of his age and long service the time arrived for a new appointment. In order to make provision for the maintenance of the retiring official the following arrangement was made with his successor:—

(1) Given one month's leave of absence which gave him the fees of the office for one month.

(2) A payment by his successor of the sum of \$1,000 per annum for life.

File 2124—Year 1933.

(17) 1904—*F. R. Latchford, Attorney-General*

RE LOCAL REGISTRAR, SUPREME COURT; LOCAL REGISTRAR, HIGH COURT; CLERK OF THE COUNTY COURT AND REGISTRAR, SURROGATE COURT; WELLAND

By Order-in-Council dated the 23rd day of December, 1904, the report of the Honourable the Attorney-General with reference to the retirement of Mr. I. P. Willson from the position of Local Registrar of the Supreme Court, Clerk of the County Court and Registrar of the Surrogate Court for the County of Welland, and to the appointment of his successor, Mr. John Edward Cohoe, to the said positions was concurred in.

The recommendation was that I. P. Willson, who filled the positions for a long time, probably nearly fifty years, and who desires to be relieved from the duties of office on condition that some provision be made for him during the remainder of his life out of the emoluments of the office, and as there has been a great deal of complaint regarding the effect of Mr. Willson's advanced age and loss of mental grip upon the satisfactory fulfillment of the duties of office, John Edward Cohoe of Welland, Barrister, was appointed Local Registrar of the Supreme Court, Clerk of the County Court and Registrar of the Surrogate Court in and for the County of Welland, subject to the annual reservation, charge or payment required to be made out of the fees, perquisites or profits of these offices in favour and for the benefit of the said I. P. Willson of the sum of \$800.00 per annum payable in quarterly payments by the said John Edward Cohoe or by the Government out of the emoluments of the said offices, and that such reservation, charge or payment and the circumstances and reasons for allowing the same to be stated in the Commission of Appointment of John Edward Cohoe, who agrees to accept the appointment of the said offices subject to such reservation.

Copy of an Order-in-Council approved by His Honour the Lieutenant-Governor, the 23rd day of December, A.D. 1904:—

The Committee of Council have had under consideration the annexed report

of the Honourable the Attorney-General, with reference to the retirement of Mr. I. P. Willson from the positions of Local Registrar of the High Court, Clerk of the County Court and Registrar of the Surrogate Court for the County of Welland, and to the appointment of his successor, Mr. John Edward Cohoe, to the said positions and advise that the recommendation therein contained be concurred in and acted on.

Certified,

C. F. BULMER,  
*Clerk, Executive Council.*

To His Honour the Lieutenant-Governor in Council:

The undersigned has had under consideration the position of the Local Registrar of the High Court, Clerk of the County Court, and Registrar of the Surrogate Court for the County of Welland, which has been filled for a very long time, probably nearly fifty years, by I. P. Willson, who desires to be relieved from the duties of the office on condition that some provision be made for him during the remainder of his life out of the emoluments of the office. There has been a good deal of complaint regarding the effect of Mr. Willson's advanced age and loss of mental grip upon the satisfactory fulfillment of the duties of the office. He has been a man of very considerable ability, and has been greatly respected by all who knew him. The Inspector of Legal Offices suggests that a change is necessary and in connection with Surrogate applications the undersigned has heard complaints from time to time of very annoying delays.

The undersigned therefore respectfully recommends that John Edward Cohoe, of the Town of Welland, Barrister, be appointed Local Registrar of the High Court, Clerk of the County Court, and Registrar of the Surrogate Court in and for the said County of Welland, subject to the annual reservation charge or payment required to be made out of the fees, perquisites or profits of these offices in favour of and for the benefit of the said I. P. Willson of the sum of \$800 per annum, payable in quarterly payments by the said John Edward Cohoe, or by the Government out of the emoluments of the said offices, and that such reservation, charge or payment, and the circumstances and reasons for allowing the same to be stated in the Commission of appointment of the said John Edward Cohoe who agrees to accept the appointment for the said offices subject to such reservation.

(Sgd.) F. R. LATCHFORD,  
*Attorney-General.*

20th December, 1904.

#### XVIII—THE CHARGES CONTAINED IN THE STATUTORY DECLARATION

These charges are set out in a statutory declaration made by Mr. McCaughrin and declared by him before W. Griffith Bingham, on the 20th day of December, 1933 (Exhibit No. 1).

The charges as therein set out are briefly as follows:—

- (1) That Mr. Finlayson told McCaughrin on November 11th, at Orillia in the Y.M.C.A., that he thought he could get him \$3,000.00 if he would resign his position;

- (3) At Mr. Finlayson's request, he met Mr. Gover in Mr. Finlayson's office November 25th, 1933;
- (3) At this meeting, Mr. Finlayson pressed him to resign his position, and persuaded Mr. Gover to pay him \$2,000 in consideration of his resigning;
- (4) That he did not agree to this, but Mr. Finlayson dictated an agreement which was typed in Mr. Finlayson's office, and was signed by Mr. Gover, which covered the proposed payment of \$2,000;
- (5) That he did not sign the agreement or commit himself to it until it had been submitted to the Attorney-General, and subsequently submitted to him;
- (6) The agreement was not read to him, but Mr. Finlayson requested him to sign his resignation so it could be submitted to the Attorney-General;
- (7) That he wrote the letter of December 2nd, 1933, withdrawing his resignation, because it was, he thought, a piece of trickery to persuade him to barter his position as Police Magistrate;
- (8) That Mr. Finlayson called him on the telephone after receiving the letter, and abused him in a very angry manner;
- (9) That at an interview with Honourable Mr. Price on December 6th, 1933, the Attorney-General was very angry and abusive, and tried to persuade him to destroy the letter, and he had refused flatly to withdraw the resignation or destroy the letters;
- (10) He also mentions the letter from Honourable Mr. Price of December 12th, and his reply of December 14th, and the letter he received from Mr. Gover with a cheque which he returned;
- (11) He charges in the Declaration that his resignation was procured from him by trickery.

All this evidence has been carefully considered by your Committee who now make the following findings, and present the same to the House:—

- (1) That Daniel McCaughrin, as Police Magistrate of Orillia, was inefficient;
- (2) That it was in the public interest that he be retired from such office;
- (3) That Honourable William Finlayson, Member of the Ontario Legislature for Simcoe East, endeavoured at the request of the said Daniel McCaughrin, in the interests of the said Daniel McCaughrin, to arrange a lump sum allowance to be paid to him by his successor in office;
- (4) That an arrangement, subject to the approval of the Attorney-General's Department, was agreed to on November 25th, 1933, by Daniel McCaughrin whereby:



- (a) Daniel McCaughrin in writing (Exhibit 19) resigned his position as Police Magistrate of Orillia;
- (b) His successor, one Howard Gover, agreed in writing (Exhibit No. 20) to pay the said Daniel McCaughrin the sum of \$2,000.00 distributed over a period of three years, being \$750.00 the first year commencing January 1st, 1934, \$750.00 in the following year, and \$500.00 in the third year;
- (5) That after such arrangement was entered into, but before approval by the Attorney-General's Department by whose officers the details were to be worked out, the said Daniel McCaughrin repudiated the arrangement entered into and endeavoured to obtain a better settlement from the Attorney-General's Department. In this he failed.
- (6) That the "charges," or statements amounting to "charges," referred to in the *Toronto Globe* of December 22nd and 23rd, 1933, are summarized and set forth in a statutory declaration (Exhibit No. 1) sworn to by Daniel McCaughrin at Orillia on the 20th day of December, 1933, twenty-five days subsequent to the date of the meeting between Howard Gover, Daniel McCaughrin and the Honourable William Finlayson, in the office of the Honourable William Finlayson at Toronto, on November 25th, 1933, which declaration was prepared, under the direction of Harry Johnston, Ontario Liberal Organizer, in the office of George McLean at Orillia, the former defeated Liberal candidate in Simcoe County, and subsequently, and after it was sworn to, the said Harry Johnston and the said Daniel McCaughrin came to Toronto;
- (7) On the following morning, December 21st, 1933, the said Harry Johnston and the said Daniel McCaughrin went to *The Globe* newspaper office and there discussed the said document with, and left it with Mr. Harry Anderson, with the instructions and understanding that no use was to be made of the same by way of publication until he (McCaughrin) should give authority so to do. The said McCaughrin then visited the Attorney-General's Department and saw Mr. Bayly, the Deputy Attorney-General, and because Mr. Bayly, the Deputy Attorney-General, would not agree to Mr. McCaughrin's terms, the said McCaughrin left Mr. Bayly's office and got in touch immediately with Mr. Harry Johnston and went back to *The Globe* office where a conference was held at which, among others, there were present Mr. Anderson, Mr. McIntosh, Mr. Arthur Roebuck and the said Harry Johnston, and decision was made to publish the said declaration as well as correspondence filed as exhibits;
- (8) The evidence shows that there was no bartering or trafficking in office and that what took place in Mr. McCaughrin's behalf and at his request was merely an endeavour to provide him with a retiring allowance;
- (9) The evidence further shows that what was done on behalf of Mr. McCaughrin did not differ in principle from precedents under various Attorneys-General over a period covering thirty-five years, particulars of which precedents are embodied in this report;



- (10) Attached hereto is the evidence taken at the hearing by the Committee and the various Exhibits filed in connection therewith;
- (11) Your Committee respectfully suggests that the Government give consideration to direct payment by the Crown of a retiring allowance to a retired official where, on the facts and circumstances of the case, it is expedient, deserving, and in the public interest, that an allowance be made.

All of which is respectfully submitted.

C. McCREA,  
*Chairman.*

# PROCEEDINGS

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## Committee on Legal Bills Re Charges by Daniel McCaughrin

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Wednesday, February 7th, 1934, 10.30 a.m.

MAJOR LEWIS: I will be glad to receive nominations for Chairman of this Committee for this year.

HON. MR. MACAULAY: I move the Hon. Mr. McCrea be Chairman.

MR. BAIRD: I second the motion.

MAJOR LEWIS: Is that the pleasure of the meeting? Carried.

The Hon. Mr. McCrea takes the Chair.

The Secretary calls the roll.

THE CHAIRMAN: Well, gentlemen, we are met this morning for the organization of this Committee to deal with the matter referred to this Committee by the House:

That the charges set out in a Statutory Declaration made by one Daniel McCaughrin as published in *The Globe* newspaper in its issue of Friday, December 22nd, 1933, be referred to the Standing Committee on Legal Bills, with full power to fully investigate these charges, to summons witnesses to direct the production of all papers and documents relating to the charges, and to report to this House with all convenient speed the evidence in connection therewith.

I would suggest to the Committee that in proceeding with our duties dealing with the charges in the Statutory Declaration, that we should have this Declaration before the Committee. Is there anyone here this morning who knows whether this is available or where it is or whether it will be produced? Nobody here to offer to the Committee now—

HON. MR. MACAULAY: Does any member of the Committee know where the document is? Who can find out where the document is? I think we want to proceed with this inquiry as expeditiously as possible. That represents the basis of the charges, if you can call them charges. All the Government knows is what purports to be a copy as printed in *The Globe* on Friday, December 22nd, 1933. Now, have my learned friends opposite not been taken into the confidence of *The Globe* or Mr. Hepburn and advised where this original document is?

HON. MR. NIXON: Who are "my learned friends"?

HON. MR. MACAULAY: Our friends.

HON. MR. MCQUIBBAN: We did not know who you meant.

HON. MR. NIXON: I think there are four learned friends here.

THE CHAIRMAN: Well, gentlemen, I take it—

HON. MR. MACAULAY: I think we ought to be frank with each other—if the Liberal leader can tell us if he knows where the document is or if he can produce it.

HON. MR. MCQUIBBAN: I submit that I do not think that my name has been mentioned in any of the material that the press has printed.

HON. MR. MACAULAY: No.

HON. MR. MCQUIBBAN: And as I have read it, just the same as you have, that is all the information that I have—absolutely.

THE CHAIRMAN: Well, gentlemen, we will assume, then, that the affidavit is not here and that nobody here is in a position to produce it.

HON. MR. MACAULAY: Is that true?

THE CHAIRMAN: It will be for the Committee then to take such action to bring about the production of this affidavit so that the Committee may be able to deal with it.

HON. MR. MACAULAY: Then, Mr. Chairman, I move, seconded by Mr. Baird, that the Clerk of the Committee issue a subpoena to W. G. Jaffray, President of *The Globe*; Mr. A. A. McIntosh, Editor in the absence of Mr. Harry Anderson, who we all are sorry to hear is so ill. Between them I hope they will be able to find where the document is.

THE CHAIRMAN: You have heard the motion—that Mr. W. G. Jaffray, President of *The Globe*, and Mr. A. A. McIntosh of *The Globe* be subpoenaed to appear before this Committee at its next meeting to deal with the location of this affidavit, production of it. What is your pleasure?

MR. SEGUIN: The person who had the declaration himself, why not call that person?

HON. MR. MACAULAY: We will assume that Mr. McCaughrin will be here at the next meeting.

MR. HEIGHTINGTON: I support what Mr. Seguin says, I think we ought to summons him.

HON. MR. MACAULAY: I have another list of witnesses in a minute.

THE CHAIRMAN: You have heard the motion. Is it the pleasure of this Committee that those men be asked to appear and produce this affidavit? Carried.

HON. MR. MACAULAY: Affidavit or whatever you call it.

THE CHAIRMAN: Statutory Declaration is referred to.

HON. MR. MACAULAY: Sworn before W. G. Bingham, Orillia, was typed by Miss Cassidy of Mr. Harvie's office and apparently prepared by Mr. James Harvie of Orillia, who is referred to in the correspondence of Mr. McCaughrin as his legal expert.

I move that Mr. Bingham, Mr. Harvie and Miss Cassidy be subpoenaed to bring such documents as they have relating to the Statutory Declaration.

MR. BAIRD: I second the motion.

THE CHAIRMAN: It has been moved and seconded that Miss Cassidy, Mr. Bingham and Mr. Harvie, and the particulars given by Mr. Macaulay, be summonsed to appear at the next sitting. Is it the pleasure of the Committee? Carried.

HON. MR. MACAULAY: I do not know that it is necessary to issue a subpoena to Mr. McCaughrin. Mr. McQuibban is not sponsoring the charges; Mr. Nixon is not sponsoring the charges, and I do not know yet whether *The Globe* is sponsoring the charges. Surely there will be some sponsor stand up for them, and if it is left to Mr. McCaughrin to carry the load I assume he ought to be here on Friday, but I do not know that it is necessary to subpoena him.

THE CHAIRMAN: Suppose we assume that the witnesses we have names of come and we can have the original document which forms the basis of these charges before us, then we can proceed with the other witnesses and if there are any suggestion of witnesses that ought to be here at the next hearing from any honourable member of the Committee, make the suggestion and we will have them here as well. Have you anybody, Dr. McQuibban?

MR. MCQUIBBAN: No.

THE CHAIRMAN: Well, I think we can assume that Mr. McCaughrin will be here at the next meeting because he is apparently very interested in the charges. Are there any other further witnesses to be called before this first meeting touching the production of the Statutory Declaration. When shall the Committee meet again? I think we ought to meet and dispose of this matter as quickly as possible before the Session gets too crowded with its work. Would Friday morning be agreeable to have the Committee meet again at ten o'clock?

MR. SIMPSON: The Orillia train does not get in until 11 o'clock unless they come down on that 5 o'clock.

THE CHAIRMAN: Suppose we make it 11.30 to meet their convenience?



MR. HEIGHINGTON: We can proceed with the Toronto witnesses at 10 o'clock and by the time we get through with them get down to Orillia witnesses.

THE CHAIRMAN: Well, I think that it will be very short so far as Mr. Jaffray and Mr. McIntosh are concerned. Probably if we start at 11.30 so that we can all make the most of our time before that with whatever other work we have to do.

Is it agreeable to this Committee that the time be 11.30 Friday morning for the hearing of these witnesses? Carried.

HON. MR. MACAULAY: I move we adjourn.

THE CHAIRMAN: This meeting is adjourned until Friday morning, February 9th, at 11.30 a.m., to allow these witnesses to be here.

Meeting adjourned.

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## SECOND SITTING

Friday, February 9th, 1934, 11.30 a.m.

THE CHAIRMAN: Now, gentlemen, will the meeting come to order. Please call the roll.

The Secretary calls the roll.

THE CHAIRMAN: Gentlemen, at the last meeting of the Committee, the Committee expressed itself that Mr. Daniel McCaughrin's Statutory Declaration as appeared in *The Globe* of December 22nd, 1933, should be laid before the Committee and the Committee directed subpoenas to Mr. W. G. Jaffray of *The Globe* and Mr. A. A. McIntosh for the production of this affidavit; also to Mr. Griffith Bingham of Orillia, Mr. James Harvie, barrister of Orillia, and Miss Cassidy, care of James Harvie, barrister, Orillia. Is Mr. Jaffray here this morning? Is Mr. McIntosh present? (Both gentlemen mentioned answered Present.) We will call Mr. Jaffray.

WILLIAM GLADSTONE JAFFRAY, affirmed. Examined by HON. MR. MACAULAY:

Q. Mr. Jaffray, are you the President of The Globe Printing Company?

A. Yes.

Q. Did you see the affidavit which is purported to be published in *The Globe* of Friday, December 22nd?

A. I have seen it but I am not certain that I saw it before I went in.

Q. You are not certain that you saw it before it was published?

A. No.

Q. Well, was it discussed with you before the story of the 22nd was published?

A. Only in a general way.

Q. By whom?

A. By Mr. Anderson.

Q. Well, did he have the affidavit, do you know?

A. Well, he had it. I am not sure whether he had it then or was to get it, when he spoke to me of it.

Q. What time of day was that?

A. I cannot recall, it was during the day.

Q. During the 22nd?

A. Yes, during the day previous to date of the publication or—

Q. It was published Friday, December 22nd, it would be Thursday night prior to that?

A. Yes, in the afternoon, likely, I think so.

Q. Have you seen the affidavit since?

A. I have had it, I have seen it, I believe it is here, that is about all I can say, I have not read it.

Q. Has someone brought it here to-day?

A. Yes.

Q. Who has it?

A. Mr. McIntosh.

Q. And do you know who brought it into *The Globe* office?

A. Mr. McIntosh will perhaps inform you, I have not any personal knowledge.

Q. You have no personal knowledge?

A. No.

Q. Well, any members are free to ask questions. I do not want to exclude

anyone, but Mr. Murphy suggests I ask you: Has the affidavit been left at your office since the date of publication, the 22nd?

A. Mr. McIntosh can perhaps answer that too, I know very little about the details of the whole matter, I am not informed on it.

THE CHAIRMAN: Does any member of the Committee wish to ask Mr. Jaffray any questions? Thank you, Mr. Jaffray.

ALEXANDER A. MCINTOSH, sworn. Examined by HON. MR. MACAULAY:

Q. What is your position with *The Globe*.

A. I am Assistant Managing Editor.

Q. And what is your knowledge of this McCaughrin story?

A. To the best of my recollection Mr. Anderson told me he was getting some information of this kind. I do not think he went into the details, just casually remarked while I was passing him in the hall.

Q. When would that be?

A. That would be the day before it was published, that would be 21st December.

Q. What time of the day was that?

A. I think it was along in the afternoon.

Q. Can you fix the hour?

A. Oh, I could not fix the hour, I am sorry.

Q. And what next did you know about it?

A. The next I knew about it was along later in the afternoon when I was called into Mr. Anderson's office, about six o'clock, I would say, perhaps a little later, but around there.

Q. And what happened then?

A. Mr. Anderson was talking with three men in the office, three gentlemen. I am sorry, gentlemen, that Mr. Anderson is not here in my place, because I was not there during all the conversation.

Q. He is not able to give evidence?

A. No, he is not able to give evidence, I understand. I can just tell you what I know of my own accord. Mr. Anderson was in the office and Mr. McLaren was there, and Mr. Harry Johnston, and Mr. A. W. Roebuck, and they were talking about some of those documents. I am not very clear on the detail.

Q. Who was handling the document?

A. At that time no one was handling the document as far as I can recall; it may be—I am not clear on this thing now, but I think the documents were produced a little later.

Q. You do not know who had custody of them at this time?

A. I would say that from the fact that Mr. McCaughrin handed them over to Mr. Anderson that Mr. McCaughrin had the custody of them.

Q. And at this time they had been transferred to Mr. Anderson?

A. Yes, was handed to Mr. Anderson.

Q. You do not know whether McCaughrin handed them to Anderson or someone else?

A. Mr. McCaughrin handed his declaration to Mr. Anderson.

Q. In the first instance?

A. Yes, that is my recollection; yes.

THE CHAIRMAN: Do you know, was Mr. Johnston and Mr. Roebuck, were they there at the time?

A. They were present at the same time.

MR. HEIGHTON: Q. In what capacity did they say they appeared?

A. They did not tell me in what capacity.

Q. They did not claim to represent him professionally?

A. No, it was only a casual conversation as far as I could see, there was no trial going on there, nobody had to identify himself on that occasion.

HON. MR. MACAULAY: Q. Have you the affidavit with you?

A. I have what I understand is the original of the declaration with me.

Q. May I see it?

A. I brought it here, of course, for the purpose of producing it or helping the Committee in any way possible but I am obliged to point out to the Committee the position *The Globe* is in in this respect: This document is not the property of *The Globe*. It has lain in *The Globe* office since towards the end of December, awaiting the owner to ask for it if he wanted it. It has lain in the vault, nobody paid any attention to it.

Q. Who is the owner?



A. Mr. McCaughrin, I understand, is the owner of this property.

Q. Since the day Mr. McCaughrin brought it into your office has it lain in your office since then?

A. As far as I know it has.

Q. Under lock and key?

A. It was placed in vault and I do not think anybody has given it any thought until it came up again with the last two or three days.

Q. Oh yes, there has been a lot of thought given to it—who had the key to that vault?

A. That I cannot tell you.

Q. Did you have key to it?

A. No, sir.

Q. Well, did a lot of people have keys to it?

A. No, I do not think so. Mr. Jaffray can tell you more about that. It is something—it is someone connected with the business.

Q. Was it in his private box?

A. I cannot tell you where it was, we have several vaults in the building. I do not know which vault it is in.

Q. Will you ask Mr. Jaffray—no need to call him back. Mr. Jaffray, can you tell us?

MR. JAFFRAY: No, I am not positive. Mr. Irwin is the Secretary of the company and he produced it for us this morning.

Q. Well, who had the key to the vault?

A. Well, I presume Mr. Irwin probably had, I could not be certain.

Q. Did you have key too?

A. No, I don't think I have, I do not know that there is a key to it. There is a box, I suppose it has box in the vault.

Q. That is private box in your vault?

A. Yes, a private box.

Q. A key of the box?

A. I suppose so.

Q. Whose box?

A. Oh, *The Globe's*.

Q. Yes, but you are the boss of *The Globe*—do not you know whose box it was?

A. No, I do not know which box it was in.

Q. Mr. McIntosh does not know—who does know?

A. It was put in there in the custody of Mr. Irwin, the Secretary, for safekeeping, that is all, he saw it was safe, that is all.

Q. And locked it up?

A. I suppose so, he will have to tell you that.

Q. Is he here to-day?

A. No.

Q. Well, you have been discussing it with Mr. Irwin?

A. Not until this morning.

Q. Did not you ask him this morning about it?

A. I did not even know where it was until I came to enquire where these documents were.

Q. You did not know where it was kept?

A. No, not until—I was not certain.

Q. Well, we will just leave that for the moment.

ALEXANDER A. MCINTOSH, recalled. Examined by HON. MR. MACAULAY:

MR. MCINTOSH: May I suggest, you asked whose box it is in, I have not been in any of those vaults, I do not know whether any of the boxes now or not, or whether all just a general box.

Q. Well, you were saying it was put in the box and you have been holding it waiting for the owner to come?

A. This is my information, I did not see it in there, remember.

Q. Who informed you of that?

A. I cannot tell you now whether it would be Mr. Anderson or his Secretary—this would be at the time that the documents were in use in the office, I got the impression they were put in the vault waiting a claimant. I would like to tell you, Mr. Macaulay, it is nothing unusual, you know, for people to submit matters to *The Globe* for publication and leave it there for some time. We have material there that has lain there for two or three years, that is nothing unusual.

Q. I know. I do not think that document contains, as this did, accusations. I do not see why you object to the use of it here this morning?

A. I am not objecting. I am just saying that this document is not the property of *The Globe* and if for any reason the owner of that document goes to Court this afternoon and gets an order on *The Globe* to produce it we cannot produce it and if there is any action taken or anything like that under which we have to produce document, we cannot do it.

HON. MR. MACAULAY: Mr. McCaughrin is in the room—have you any objection to this affidavit being produced, Mr. McCaughrin?

MR. MCCAUGHRIN: Well, I have not considered that question.

THE CHAIRMAN: Well, to dispose of it right now, the Legislature had directed an investigation into this matter and if this document is in your possession, Mr. McIntosh, you will please produce it to the Committee.

MR. MCCAUGHRIN: I presume that the request is all right to deliver up the document as an exhibit.

HON. MR. MACAULAY: All right.

THE WITNESS: I would like an assurance that *The Globe* will be protected in some way.

THE CHAIRMAN: We will give you answer, that the Committee requires you to produce it and Mr. McCaughrin says now he has not any objection to producing it.

THE WITNESS: Would that stand with the Court, I do not know anything about these things?

THE CHAIRMAN: Well, we would have to take the responsibility.

MR. HEIGHTON: The witness is protected for everything he says before this Committee.

THE CHAIRMAN: I direct the production now, so if you will be good enough—

THE WITNESS: You wish the copy of the Declaration?

HON. MR. MACAULAY: Want the original.

MR. NESBITT: Why don't Mr. Jaffray give the document to the owner and let him produce it?

THE CHAIRMAN: I do not think it matters a particle how it is produced, but there is one thing the document is here and it will be produced to this Committee.

MR. HEIGHINGTON: Mr. Clive Thompson is here acting as solicitor for *The Globe* newspaper and would like to make a statement.

MR. THOMPSON: I have advised my clients to ask for protection in producing this document, with all deference to the House and Committee, and I understand that you have ruled that protection is given and I would like to see it embodied in the record as far as this Committee has given it.

THE CHAIRMAN: Let us understand each other. The *Toronto Globe* has taken the responsibility of publishing this affidavit.

MR. THOMPSON: Quite.

THE CHAIRMAN: And we as a Committee have asked for the original upon which they made this publication. Mr. McCaughrin is here, says he has no objection to it—in my view it would not make any difference whether he did or not, and so far as this Committee interfering in the production of this is concerned, *The Globe* will have all the protection this Committee can give it.

MR. THOMPSON: Then, with your permission, the original document may be handed to McCaughrin now.

THE CHAIRMAN: No.

HON. MR. MACAULAY: No, we have subpoenaed—

MR. THOMPSON: I think a witness who comes before this Committee is, under the Act, just as it was before a Court of Record.

THE CHAIRMAN: We all understand that.

THE HON. MR. MACAULAY: We are wasting time, I ask for your ruling.

THE CHAIRMAN: I have given my ruling, Mr. McIntosh will please produce the original.

MR. THOMPSON: I would like to be definitely on record—Mr. McCaughrin is here and he is the one that should produce it—

THE CHAIRMAN: This looks to me like poor child's play. Here is a man who causes the issue of a Statutory Declaration making certain charges. He hands it over to the *Toronto Globe* who publish it. It is child play to go through this form of argument we are going through now as to whether it will be produced or will not be produced. I give Mr. McIntosh a chance now, following my direction as Chairman of this Committee, to produce document forthwith.



MR. THOMPSON: I have objection to that procedure.

MR. McCAUGHRIN: Mr. Chairman, that still remains my property.

THE CHAIRMAN: And you took good care that you saw it went out to the public.

MR. McCAUGHRIN: I admit I presumed it would be handed over to me.

THE CHAIRMAN: No, it will come into possession of this Committee and this Committee will deal with it then. When you took it to the *Toronto Globe* and directed its publication it became a public document which has opened out into this inquiry.

MR. McCAUGHRIN: All right.

THE CHAIRMAN: And it will be part of the record as well.

THE WITNESS: I had better read it?

HON. MR. MACAULAY: No, just produce it to me.

A. All right, sir.

THE CHAIRMAN: I will have it marked, Mr. Macaulay.

EXHIBIT 1: Statutory Declaration.

Statutory Declaration reads as follows:

#### EXHIBIT 1

Province of Ontario,  
County of Simcoe,  
To Wit:

I, Daniel McCaughrin, of the Town of Orillia, in the County of Simcoe, Police Magistrate, do solemnly declare:

1. On the 11th day of November, 1933, I met The Honourable William Finlayson, Minister of Lands and Forests, of the Province of Ontario, in the Y.M.C.A. in the Town of Orillia, and had a conversation with him with respect to my being retired from my position as Police Magistrate for Orillia and District. During the course of this conversation he informed me that he thought he could get me \$3,000.00 if I would resign my position.

2. I did not commit myself to this proposition as I have known that the said Mr. Finlayson was not pleased with my appointment and had been for some years very anxious to appoint in my place his cousin or relative, Howard Gover, Police Magistrate of the Village of Coldwater.

3. On the 25th of November, 1933, at Mr. Finlayson's request I met him and the said Howard Gover in Mr. Finlayson's office in the Parliament Buildings in Toronto and at the said meeting the said Mr. Finlayson again pressed me to resign my position as Police Magistrate at Orillia and persuaded the said Howard Gover to agree to pay me in consideration of my resignation the sum of \$2,000.00.

4. I did not agree to this proposal but in any event Mr. Finlayson dictated an agreement covering the proposed payment by Howard Gover to me of the sum of \$2,000.00 and also dictated a form of resignation to be signed by me and lodged with the Attorney-General.

5. The said agreement was typed in the said Mr. Finlayson's office and was duly signed by the said Howard Gover, but I did not sign the same or even commit myself to it in any way until it had been submitted to the Attorney-General and subsequently submitted to me, and even in the latter event I did not commit myself to becoming a party to it.

6. The said agreement was not read over to me but Mr. Finlayson requested me to sign my resignation that the same could be submitted to the Attorney-General along with the agreement in question.

7. In having these documents submitted to the Attorney-General I felt satisfied that they would be strongly disapproved of by the Attorney-General as he would not permit the bartering or trafficking in Government appointments, particularly within the Department of Justice.

8. I returned to Orillia on the same day and heard nothing further with respect to my said resignation or the said agreement from the said Mr. Finlayson or the Attorney-General until the 2nd day of December, 1933, on which day I wrote a letter to Mr. Finlayson and sent copy thereof to the Attorney-General in which said letter I refused to have anything further to do with my proposed resignation and agreement with the said Howard Gover, and also in that said letter I withdrew my resignation.

9. I wrote this letter as a result of serious consideration of the whole position and felt convinced that it was a piece of trickery to persuade me to barter my position as Police Magistrate, which struck me very forcibly as being a nefarious trafficking in Government appointments.

10. A few days subsequent to the mailing of the said letter the said Honourable William Finlayson called me by telephone and abused me in a very angry manner because of the withdrawal by me of my resignation and the contents of my said letter of December 2nd. He also suggested that I should meet the Attorney-General in connection with the matter, and that he would arrange a meeting accordingly.

11. I had an interview with the Attorney-General, The Honourable William Price, in the Parliament Buildings, on December 6th, and he, the said Attorney-General, was also very angry and very, very abusive because of my letter and withdrawal of resignation and tried to persuade me to destroy this letter, and he further said that he and Mr. Finlayson would destroy theirs as these letters would look very damaging in that they implicated very seriously Ministers of

the Crown. I refused flatly to withdraw my resignation or to destroy the said letters.

12. Subsequently I received a letter from the Attorney-General dated December 12th, 1933, marked "Private and Confidential," in which said letter the Attorney-General informed me that my resignation had been accepted and that Mr. Howard Gover had been advised accordingly and also advised to make his arrangements to take over my appointment as Police Magistrate of the Town of Orillia. The said Attorney-General further advised me to carry on with the original arrangement that was proposed between Mr. Gover and myself by the Honourable William Finlayson. The Attorney-General further said that there might be certain things that he could ask me to do as special work that would provide additional remuneration.

13. I wrote the said Hon. Wm. Price, Attorney-General, on December 14th in reply to his said letter of December 12th repeating the gist of my letter to him of December 2nd and remonstrating with him for refusing to accept the withdrawal of my resignation, and also requesting him to forward me a copy of the agreement which was drawn by Mr. Finlayson proposedly between Mr. Gover and myself. I also asked him to explain what he meant by certain things that he could ask me to do as special work which would provide some additional remuneration. Up to this date I have received no reply to my letter.

14. Under date of December 14th I received a letter from the said Howard Gover informing me that he had received notice that the proposed arrangement between himself and myself made by Mr. Finlayson had been approved, and accordingly enclosing a cheque for \$187.50 in my favour to cover the payment alleged to be due on the 2nd of January, 1934. In his said letter Mr. Gover explained that Mr. Finlayson had requested him to do this at once, and he further stated that he would like to come over to Orillia at once to arrange taking over my position.

15. I promptly replied to the said letter by writing Mr. Gover on December 15th returning his said cheque for \$187.50 and also enclosing a copy of my letter to the Hon. Mr. Finlayson dated December 2nd, 1933, and declining to have anything further to do with the arrangement that had been made.

16. On the 19th of December I received notice from the Attorney-General's Department in Toronto of an Order-in-Council passed on the 11th day of December, 1933, which reads as follows: "Upon the recommendation of the Honourable the Attorney-General, the Committee of Council advise that the resignation of Daniel McCaughrin, Police Magistrate of Orillia, Ontario, be accepted, effective December 31st, 1933."

17. I consider the said Order-in-Council ineffective as the same was passed after I had withdrawn my resignation, and in any event I do not consider that my said resignation was effective as the same was procured from me by trickery and was not acted upon or even approved.

And I make this solemn declaration conscientiously believing it to be true, and knowing that it is of the same force and effect as if made under oath and by virtue of The Canada Evidence Act.

Declared before me at the Town of Orillia, in the County of Simcoe,  
this 20th day of December, A.D. 1933.

W. Griffith Bingham,  
A Commissioner, Etc.

D. McCaughrin.

THE HON. MR. MACAULAY: Mr. McIntosh, I see that there are a good number of alterations in this Declaration—do you know or do you not know whether these were made at the time they first came into *The Globe* office?

A. I see the Declaration, there were marks on them, I cannot identify those as the same marks but I presume they are.

MR. MURPHY: Are they initialled?

HON. MR. MACAULAY: Well, we will have to call Mr. Bingham.

THE CHAIRMAN: That is a reproduction of the affidavit that appeared in *The Globe*?

A. That is.

HON. MR. MACAULAY: Q. Why did not you publish a photostat copy showing these alterations, rather than the typewritten copy showing the thing as altered? You showed a photostatic copy of the other letters in *The Globe*?

A. Yes, we were just publishing the news, you know, we were not publishing other things.

Q. That was news to a lot of people, knowing there was some alterations in the affidavit?

A. Well, that is—

Q. You mean you published the news, that portion of the news which built up a case?

A. No, I do not think that was our attitude.

Q. There is the photostatic copy of Mr. Price's letter?

A. Yes.

Q. Mr. Finlayson's letter?

A. Yes.

Q. Why did not you produce a photostatic copy of the Declaration?

A. I do not know any reason why we should. Why should one?



MR. HEIGHINGTON: Will you make that an exhibit, that document you have just produced?

THE CHAIRMAN: Yes, I think we had better put in the document.

THE HON. MR. MACAULAY: Q. Will you identify that issue of *The Globe* of the 22nd?

A. Yes, I would identify that as front page of *The Globe* as December 22nd, 1933.

EXHIBIT 2: Front page of *Globe*, December 22nd, 1933.

Q. Would you identify that as the front page of *The Globe* of December 23rd?

A. I do.

EXHIBIT 3: Front page of *Globe*, December 23rd, 1933.

Q. And is that page 3 of *The Globe* of the 23rd?

A. Yes, that is page 3 of *The Globe* of the 23rd.

EXHIBIT 4: Page 3 of *The Globe* December 23rd, 1933.

Q. Let me see Exhibit 2, please. Was this story of the 23rd, that made the front page of *The Globe* written entirely in *The Globe* office or did the Board of Strategy have a skeleton of it ready before brought into your office?

A. Well, I do not know any Board of Strategy, Mr. Macaulay, I am not saying there is such a board.

Q. You are a newspaper man, do not you know who they are?

A. No, I am sorry I don't know.

Q. You know some of them?

A. I do not know. I have never been acquainted and introduced to them. As far as story is concerned in *The Globe* I do not think anybody outside *The Globe* office writes one.

Q. Well, was there any preparation made on the story covering the details furnished to you for the purpose of the article?

A. I cannot tell you about this, I had nothing to do with it.

Q. Who would know?

A. Mr. Anderson is the man who can tell you; unfortunately he cannot be here.

MR. HEIGHTON: Q. Might I ask the witness what reason Mr. McCaughrin gave in submitting this document to *The Globe*.

A. That is something I cannot answer.

Q. I do not know why you cannot—surely he said something?

A. There was casual conversation took place in the room, but—

Q. There is one question, I am asking if you considered this document—

THE CHAIRMAN: I cannot hear.

MR. HEIGHTON: I say if Mr. McCaughrin made a statement about his reasons surely it is very important for the Committee to know?

THE CHAIRMAN: Yes, if Mr. McIntosh is able to answer that.

THE WITNESS: Reasons for what?

MR. HEIGHTON: Q. What reasons did he give for appearing in your office and asking you to take notice of this declaration?

A. No, I cannot answer that because I think that arrangement was all made with Mr. Anderson. It is just an unfortunate circumstance I am here instead of Mr. Anderson, that is all.

HON. MR. MACAULAY: Q. I think it was a more unfortunate circumstance that you did not publish the photostatic copy of the Declaration along with the other letters—do not you think so, looking back at it?

A. No, I don't know. I have always understood and I am subject to correction here, that when corrections are initialled in document of that kind it is the initialled corrections that are part of the document.

Q. Well, it is interesting to know that they have been corrected.

A. Well, it may be interesting from a certain point of view, but I do not think it made any difference from a news point of view.

HON. MR. MACAULAY: Well, I do not think there are any other questions I need ask.

THE CHAIRMAN: At all events, Mr. McIntosh, the purported copy as appeared in *The Globe* of December 23rd is, so far as you are aware, an exact copy of the—

A. As far as I am aware that is as it was reproduced.

MR. HEIGHTON: Q. Would the witness say if he remembers whether Mr. Roebuck or Mr. Johnston made any statement as to why they wanted the document considered?

A. No, I cannot answer that question.

Q. Did you have any conversation with Mr. Roebuck and Mr. Johnston personally about this thing since it appeared in print?

A. Since it appeared in print?

Q. Yes?

A. I talked with Mr. Roebuck,—no, let me see now. I was speaking to Mr. Roebuck once in the office about a matter but I do not believe it was about this. I have only seen him that once since it was published.

Q. Just one more question: How did you come into possession of this correspondence which you published in one of the issues?

THE CHAIRMAN: Better identify the issue, Exhibit—

HON. MR. MACAULAY: Those issues have all been marked.

THE CHAIRMAN: Q. How did you come into possession of the letter, which was photostated and appeared in Exhibit No.—

HON. MR. MACAULAY: Exhibit 4 is all the letters.

THE WITNESS: Mr. Macaulay, if you wish us to publish that declaration to-morrow with the corrections in it we would be very glad to do it, have photostat made.

Q. Oh, I suggest the time was the day it was published?

A. But it had not occurred to us.

Q. When you were publishing the other?

A. It had not occurred to us to do that.

THE CHAIRMAN: Now, Mr. Heighington's question is—how did you come into possession as *The Globe* newspaper of the documents photostated and appeared in *The Globe* of December 23rd? These documents are a letter from Mr. Price to Mr. McCaughrin dated December 12th; letter from Mr. Finlayson to Mr. McCaughrin dated November 18th; letter from Mr. Price to Mr. McCaughrin dated November 13th, 1933; letter from Mr. Gover to Mr. McCaughrin dated September 13th, 1933; letter from Mr. Gover to Mr. McCaughrin dated December 18th, 1933; letter from Mr. Gover to Mr. McCaughrin dated December 13th and letter from Mr. Humphries, Solicitor to the Attorney-General's Department, to Mr. McCaughrin dated December 18th, 1933. Mr. Heighington's question is how did these documents come into your possession?

A. The same answer applies to that as to the Declarations. These docu-

ments were in the possession and as far as I know are the property of Mr. McCaughrin, were handed to *The Globe* at the same time.

Q. By Mr. McCaughrin?

A. By Mr. McCaughrin, that is my recollection.

HON. MR. MACAULAY: Q. Are they still in your possession.

A. They are still in the possession of *The Globe*.

Q. I would ask they be produced. Have you them with you?

THE CHAIRMAN: Q. Have you those in your possession?

A. I have those documents.

Q. Well, I think you had better produce them?

A. And it is understood, of course, that we are protected the same way I trust—

Q. The same as the other documents.

MR. BAIRD: Is it usual, Mr. McIntosh, to publish a letter marked “confidential”?

A. I think some of the letters were marked “Confidential”; I think that shows in the publication.

Q. I am just asking you if it is usual to publish a letter marked “Confidential”?

A. That is a general question, it is very difficult to answer. We do not publish everything that is sent into the office, I assure you. Some matters are different from others in public importance. We are guided by the public interest in what we publish.

Q. Then you considered that you were not in any way transgressing what might be called good ethics in publishing a confidential letter?

A. We are not quite sure that a letter of this kind marked “private” and “confidential” is anything more than a mark, it is public business.

Q. You mean public or political?

A. I mean public.

THE CHAIRMAN: Which means political.

THE WITNESS: As far as we are concerned, it may have been political otherwise.



Q. So far as the "private and confidential" letters are concerned, I suppose when the man to whom they are written it is "private and confidential," makes them public?

A. I would think so; we are taking the position that those documents are not *The Globe's*, they were handed to *The Globe* and if I am to produce them—

HON. MR. MACAULAY: Q. I would ask you to produce them.

A. I have some other matters here. I wonder if you might just mention the ones you want, if you can.

Q. We want all letters that were delivered to you by Mr. McCaughrin.

A. I think probably I have some other matters here.

THE CHAIRMAN: All we can ask for are the letters that are published.

HON. MR. MACAULAY: I do not agree with you. If they are pertinent to this inquiry I want everything that Mr. McIntosh has.

MR. THOMPSON: I would respectfully suggest that you follow the same procedure as before and ask Mr. McCaughrin to produce the letters.

MR. HEIGHINGTON: That seems to me begging the question. Here we are directed by the Legislature to make enquiry and here we are demanding—surely there is no answer.

MR. THOMPSON: There is no legal answer, Mr. Heighington is quite right, but I suggest as a matter of courtesy, Mr. McCaughrin being in the room, his consent should be obtained.

THE CHAIRMAN: Mr. McCaughrin, is he still there?

Mr. McCaughrin, you handed over to *The Globe* at the time the affidavit was handed over certain letters which were published in *The Globe* and other papers, have you any objection to these being laid before the Committee?

MR. MCCAUGHRIN: Not in the least if you want them.

THE CHAIRMAN (to Mr. McIntosh): Will you please hand them over.

MR. HEIGHINGTON: I suggest Mr. McCaughrin's views are not—

THE CHAIRMAN: No, but I am trying to please *The Globe*, I like *The Globe*,

THE WITNESS: Very kind of you. You have asked for letter of November—

MR. MCCAUGHRIN: We have not anything to hide.

HON. MR. MACAULAY: That is what I am asking. I would like you to produce everything that was handed you by Mr. McCaughrin.

THE CHAIRMAN: Q. What letters have you?

A. Had not I better read these all so that they will go in the Minutes as I give them to you?

THE CHAIRMAN: Mr. McIntosh produces as Exhibit 5 letters as follows: Now, you could name them off.

A. I have some carbon copies, are those included too?

HON. MR. MACAULAY: Yes.

A. Well, this is a copy of an unsigned letter.

THE CHAIRMAN: Well, I do not know—

HON. MR. MACAULAY: I want everything.

THE CHAIRMAN: Did you get it from Mr. McCaughrin?

A. Yes. The signature is not on it, it is dated November 8th to Colonel the Honourable W. H. Price and it is undoubtedly Mr. McCaughrin's letter, shows that, although it is not signed I have here original of letter dated November 13th from Honourable Wm. H. Price to Mr. McCaughrin. I have the original of a letter from Mr. William Finlayson to Mr. McCaughrin dated November 18th, 1933. I have a carbon copy here of a letter dated 2nd December to the Honourable William Finlayson obviously a copy of Mr. McCaughrin's letter. I have a letter from William H. Price to Mr. McCaughrin dated December 12th, 1933. This is another letter from Mr. McCaughrin to the Honourable W. H. Price, dated December 14th.

HON. MR. MACAULAY: Q. Copy, did you say?

A. Yes, copy. This is the original of a letter dated December 14th from Howard Gover to Mr. McCaughrin. This is a letter dated December 16th—now, pardon me a moment, this letter is signed—this is a letter dated December 16th to Mr. Howard Gover signed by Mr. McCaughrin. It does not appear to be a carbon copy, I do not understand that.

THE CHAIRMAN: He may have intended to send it; it may never have been sent, put it in.

THE WITNESS: It appears like an original letter. This is copy of letter dated December 18th to Mr. Howard Gover, apparently copy of letter from Mr. McCaughrin. This is a letter dated December 18th to Mr. D. McCaughrin from Mr. Howard Gover, original. This is another letter dated December 18th, to Mr. D. McCaughrin from Mr. Howard Gover.

HON. MR. MACAULAY: Two letters the same day.

Apparently that is it, but I did not notice that before. This is letter to Mr. McCaughrin stamped with the name of I. A. Humphries, Solicitor, Attorney-

General's Department, containing a copy of Order-in-Council. This is dated December 18th, 1933; there is no other date in connection with the copy of the Order-in-Council except what is contained in it here. This is a copy—no, pardon me—this letter is signed. No, I am wrong, this is not a letter. Those are all the letters and copies of letters that we have.

THE CHAIRMAN: Is that another document in connection with this matter?

A. This is another document.

Q. What is that?

A. This is a document that starts out as an affidavit containing a resume of conversations with Mr. Finlayson and Mr. Price by Mr. McCaughrin; it is dated December 16th, but this is not an affidavit as I have it here. It is not attested here and I do not know whether that is of any—

HON. MR. MACAULAY: Oh, yes, you published that.

A. We published it, but I do not know whether that is valuable as it stands there.

Q. Anything you publish is valuable.

A. This is all the documents I have.

MR. SEGUIN: Q. Do you know the difference between Declaration and Affidavit?

A. I am not sure that I do; I think I was told two or three times by lawyers, but I do not think it is so clear in my mind yet.

Q. Of course you understand that an affidavit has got to be sworn on a Bible and a Declaration is just more of a legal declaration—

A. Well, I did not know that.

Q. You are taking God as a witness when you are swearing an affidavit, you know that.

THE CHAIRMAN: I think that declaration has the same force.

THE WITNESS: No, I did not.

Q. And did you notice on this declaration it first started out to be an affidavit. I suppose you looked very casually into this before permitting *The Globe* to print anything that was slanderous?

A. I am not saying that committed *The Globe* to anything slanderous.

Q. I say you might?

A. I did notice that and my recollection is that I asked Mr. Roebuck the difference between Affidavit and Declaration at that time, and he gave me answer.

Q. And he told you?

A. He gave answer that was satisfactory at the time.

Q. Then I suppose you asked Mr. McCaughrin why he signed affidavit, that should be signed before God, take declaration sworn before you?

A. No, sir, I asked that question as a matter of person curiosity.

Q. You were not afraid that Mr. McCaughrin looked very cautious when he would not sign a document unless it was just a declaration?

A. That question did not arise, it was not any of my business.

Q. Well, I tell you, printing a document which is not true, which this document might turn out to be, might involve your paper in very serious difficulty?

A. Well, we were willing to take a chance on that.

HON. MR. MACAULAY: Q. On Mr. Roebuck's opinion?

A. No, not necessarily. I did not pass on this, I cannot say.

THE CHAIRMAN: At all events *The Globe* has taken this chance.

MR. HEIGHINGTON: Already on record that Mr. Roebuck was not there in a professional capacity.

HON. MR. MACAULAY: Q. The last document in your issue of December, Saturday 23rd, 1933, is a copy of this resume of fugitive conversation with Mr. Finlayson and Mr. Price. As Editor of a paper what did you take him to mean as "Fugitive conversation"?

A. I took it to mean casual conversations, varied conversation, conversations caught now and then.

MR. HEIGHINGTON: These conversations might be very interesting, I do not know whether satisfactory to say whether they were just general; perhaps he remembers something about them.

THE CHAIRMAN: Well, let us put it this way: That *The Globe* thought they had a real story of public interest and published it for what it is worth—that is about the size of it?

A. That is correct.

MR. SEGUIN: And willing to take the consequences?



MR. MURPHY: Q. Mr. McIntosh took no guarantee from any person in case anything might happen by way of libel?

A. No, sir, not as far as I know.

MR. HEIGHINGTON: Is there anything that he recalls of the conversation between Mr. McCaughrin and himself. We have not heard anything but general conversation. We cannot expect him to remember everything that happened but let him tell everything that he does remember.

THE CHAIRMAN: You have told the Committee that at this meeting when the material was handed to you there was present Mr. McCaughrin, Mr. Roebuck and Mr. Harry Johnston and—

HON. MR. MACAULAY: Q. Who is Harry Johnston?

A. I believe he is Secretary of the Ontario Liberal Association; I am not sure that I have that name right, it may be Reform Association. I think it is the Ontario Liberal Association.

THE CHAIRMAN: Q. And Mr. Johnston is the Secretary of the Liberal Association—Conservative is not in it?

A. No, Ontario Liberal Association.

Q. And that those three men were directed to you by Mr. Anderson of *The Globe*, Mr. Harry Anderson?

A. Oh, no, sir,—if I did not misunderstand you—these gentlemen were in Mr. Anderson's office and Mr. Anderson sent for me, I was in my own room, and he asked me to come in. They were there and they had been talking, I don't know how long, I do not know what had gone on before that.

Q. And you were handed all these documents?

A. No, sir, these documents as I recall were handed to Mr. Anderson.

Q. Were not they handed at that meeting over to you to go ahead with the publication of them?

A. Oh—

Q. I understood that is the purport of your previous statement?

A. No.

Q. Mr. Anderson had made whatever negotiations there were or had discussions with those men as to the publication, you were called in, and that whatever conversations had taken place or discussions had taken place with Mr. Anderson and that you did not recall anything that Mr. McCaughrin said or Mr. Roebuck or Mr. Johnston. That was what I understood when you made your previous statement. Now, Mr. Heighington says he would like to ask you

the question: Can you not recall any of the conversations which took place when Mr. Anderson called you in there and when Mr. Roebuck, Johnston and McCaughrin were there, as to these documents and the reason for the publication—that is what you want?

A. I cannot recall that there was any discussion as to the reason for publication. My recollection is that Mr. Anderson had some previous knowledge of this and I came in there and I think most of the time I was there I was standing over Mr. Anderson's shoulder, he was at his desk, and he was reading through the documents and I was following him to see what was in them. There was naturally some casual remarks made, some discussion, but I am not clear about that. As a matter of fact I was called in when I was very busy and my mind was on getting back to my own work; I did not pay so much attention to these things.

MR. MURPHY: Did Mr. Roebuck or Mr. Johnston make any suggestion so far as what the articles in the papers should contain—do you remember that?

A. I do not recall that they did, they might have, but I do not recall.

Q. Why would they be there?

A. I cannot tell you why they were there.

HON. MR. MACAULAY: Q. Who can?

A. Well, I presume you would have to ask them, I do not know. They ought to know.

MR. HEIGHINGTON: Are we to understand from the witness that they stood around in admiring silence looking at these documents? Surely something was said. They do not just bring documents into a newspaper office and lay them silently on the desk and say nothing about them.

MR. THOMPSON: Is *The Globe* on trial here or is it the truth of this? These matters can all be found out by calling these witnesses. These witnesses, *The Globe*, came here in deference to subpoenas which I do not believe were legal, and there was no conduct money. If you are here to try *The Globe*—

THE CHAIRMAN: You do not suggest that the Committee is not entitled to find out from Mr. McIntosh what conversation there was?

MR. THOMPSON: You may ask Mr. Atkinson anything you wish but as far as *The Globe* is concerned we have told what we know.

THE CHAIRMAN: No, but Mr. Atkinson is the witness.

THE WITNESS: That excuses me.

THE CHAIRMAN: I do not know whether I am putting you up or down.

MR. HEIGHINGTON: Mr. Thompson knows very well from his extensive

professional experience that a witness must remember something and really should answer, and tell us anything that he recalls. If he does not recall any single word—

MR. THOMPSON: This Committee can do anything; they have full power in their hands but apparently the question before this House is what was the truth of this affidavit. We admitted their publication, we have told you how they have occurred, why not call the men who are charged, Mr. Finlayson and Mr. Price. I think Mr. Finlayson knows the truth and that is all we are trying to get at.

THE CHAIRMAN: I do not think the Committee can be restricted in questions that they would like to ask Mr. McIntosh.

Q. Mr. McIntosh, how long has Mr. Anderson been ill?

A. Been ill since the middle of January.

Q. Seriously ill?

A. Yes, I have not seen Mr. Anderson since he was taken ill.

HON. MR. MACAULAY: Just before you go, I just happened to look over this resume of fugitive conversations—

MR. MURPHY: Conversions it is.

HON. MR. MACAULAY: I do not know who was converted, *The Globe* or Mr. McCaughrin. The grammar is terrible all through it, you seem to make corrections, who would take the responsibility for that?

A. I think Mr. Anderson, I have nothing to do with it.

Q. When you sent your compositors letter in which they spelled phone "fone," who does that?

A. I presume that matter was copied in the office before, I do not think this was sent to the typewriters; we would make copies, it would be the natural way to do it.

HON. MR. MACAULAY: I think that is all.

THE CHAIRMAN: Thank you, Mr. McIntosh. I will get you right at the finish.

JAMES G. HARVIE, sworn. Examined by HON. MR. MACAULAY:

Q. What is your occupation?

A. Solicitor.

Q. Barrister and solicitor at Orillia?

A. Yes, sir.

Q. Have you ever taken any part in politics?

A. Yes.

Q. What have you been?

A. I was Liberal candidate at the last provincial election.

Q. Mr. Finlayson's opponent?

A. Yes, sir.

Q. Have you anything to do with the McCaughrin matter?

A. Yes, something.

Q. Tell us what you have had to do with it?

A. No, Mr. Chairman, I have acted as Mr. McCaughrin's solicitor in this matter and while I realize that you can compel me to answer questions, I must ask your protection between solicitor and client because I want you to compel me to answer things that took place between Mr. McCaughrin and myself. I am not at liberty in the ordinary course to divulge what took place between my client and myself.

THE CHAIRMAN: Well, this Committee is dealing with a matter which has become a public matter and a political matter and as to the documents which have been published and as to the action you have taken, I think the Committee is entitled to that information. When you come to the place where any instructions, which you swear are solicitor and client instructions, we will be glad to consider whether in the opinion of the Committee they are private solicitor-client instructions, or whether they are part of a purpose of Mr. McCaughrin's who has seen fit to make all of this public, and whether that information under those circumstances should not be disclosed in the public interests. So you proceed and when you come to a place where this Committee is of view that instructions are of such a private solicitor-client nature that it is not proper to divulge them we will deal with it, but, on the other hand, if they are part of this public announcement which appeared in *The Globe* charging a trafficking in office by members of the Government, then the Committee will have to deal with each of those matters as the weight of them is necessary for public interest.

MR. MURPHY: It is the client's privilege anyway.

THE CHAIRMAN: I know.

HON. MR. MACAULAY: And further than that, that privilege must yield to the order of this Committee if they so see fit.

MR. WILSON: Q. Might I ask the witness at which stage the matter between you became a matter of solicitor and client?



A. At all stages; I have been his solicitor for years.

Q. No, no; in this matter?

A. Right at the beginning.

Q. When did it begin? Have you any entries in any of your books making debit entries against him?

A. Yes.

Q. What is the date of them?

A. I did not bring my books.

HIN. MR. MACAULAY: Q. When did you first have anything to do with this matter?

A. I think the first he consulted me was after he had returned from Toronto after his interview with Mr. Finlayson and Mr. Gover in Mr. Finlayson's office.

Q. That interview occurred on November 25th, 1933, did not it?

A. Well, I do not remember definitely.

Q. Well, that is what the correspondence shows. How many days after that did he come into you?

A. I think probably the next day or the day following.

Q. That was Saturday—did he see you next day, Sunday?

A. No, it would be during my office hours.

MR. WILSON: Q. Might I just ask the witness, if he meant to convey the impression that he made debit entries against Mr. McCaughrin for attendances when you were procuring this political material?

A. I made entries against McCaughrin for consultations in connection with this matter.

MR. SINGER: Q. Did you send him a bill for services in this matter?

A. Not yet, because it is not finished.

Q. Do you intend to send him a bill?

A. I certainly do.

MR. WILSON: Q. Have you received anything on account?

A. No.

Q. For your services at all?

A. He is very good pay and I do not need to worry about it.

MR. HEIGHINGTON: Might follow this point further, as Mr. Murphy pointed out, the privilege is the client's and not solicitor's. Mr. McCaughrin has stood up here and said he has no objection to anything being revealed.

THE CHAIRMAN: We will ask Mr. McCaughrin: Mr. McCaughrin, have you any objection to Mr. Harvie telling this Committee of his business with you concerning these charges?

MR. McCAUGHRIN: I have because they were of a private nature and not for publication.

MR. MURPHY: What about your statement a moment ago that you had nothing to hide?

HON. MR. MACAULAY: You said it. Let us get on with the questions.

THE WITNESS: Personally I have no objection to anything that came to my notice. I simply want protection as a solicitor.

Q. You were not acting solely in a legal capacity?

A. Absolutely.

Q. You had a political axe to grind?

A. No, I did not.

Q. Well, we will see. It was the day after Mr. McCaughrin came down to see Mr. Finlayson that he went to see you?

A. I think it was the day, I am not absolutely certain, it was very shortly after.

Q. And what occurred as a result of that interview at your office?

A. Well, I ask protection there, Mr. Chairman.

Q. I ask for a definite statement because this is the very gist of the matter; we are going to find out where this material for the affidavit was prepared and concocted.

THE CHAIRMAN: What is your question again?

HON. MR. MACAULAY: I asked Mr. Harvie what occurred at this interview between Mr. McCaughrin and Mr. Harvie the day after Mr. McCaughrin returned from Toronto where he had an interview with Mr. Finlayson on November 25th.

THE CHAIRMAN: What occurred with reference to the affidavit?

HON. MR. MACAULAY: Yes, with reference to the complaint.

MR. HEIGHINGTON: It is the first time that Liberal is asking protection—

THE CHAIRMAN: What is the view of the Committee?

MR. WILSON: We either ought to have it or we ought to quit.

MR. MORRISON: I think anything in connection with the affidavit should be disclosed.

MR. HEIGHINGTON: He can, as I understand it, tell us what steps he took and what happened.

THE WITNESS: I am satisfied to do that.

THE CHAIRMAN: Go ahead.

THE WITNESS: I want to help you all I can but I simply want protection.

Q. What steps did you take or advise?

A. I cannot say what I advised, I did nothing except advise him.

Q. Did you prepare an affidavit?

A. No.

HON. MR. MACAULAY: Q. We will have to come back to that interview because that is the time that he began to take an active interest in this case. You ultimately procured the preparation of declaration?

A. No, I had nothing to do with that declaration at all.

Q. How many times did you see Mr. McCaughrin about it between this first occasion and the time things were published in *The Globe*?

A. Oh, quite a number of times, probably six or eight, perhaps ten.

Q. And was his attitude at this time and yours that some arrangement should be made to procure a retiring allowance for him or what was your attitude in respect to the question that has now come up for investigation?

A. Well, I had no attitude. If I tell you what took place between us, I am disclosing what took place between solicitor and client.

Q. I think we should have it because that is the whole gist of this inquiry as to whether Mr. Finlayson was *bonafide* trying to procure a retiring allowance for a man whose usefulness was about ended, or whether it was a bare-faced attempt to buy a man out of office, which is what Mr. McCaughrin charged.

Now, I say, what Mr. McCaughrin did and what Mr. Harvie did between November 25th and the date these charges were published is the very meat of this question because from the 25th of November until after the 12th of December, Mr. McCaughrin was discussing with officials of the Crown what retiring allowance he should get. There was no question there about trafficking in office by Mr. McCaughrin and probably none in the conversations with you. You were discussing what retiring allowance he was to get.

THE CHAIRMAN: Does Mr. McCaughrin in that resume of conversations—

HON. MR. MACAULAY: He does not say anything about Mr. Harvie at all.

THE CHAIRMAN: No, as to Mr. Finlayson. What he said in the affidavit as to Mr. Finlayson and Mr. Price. You have the affidavit there.

HON. MR. MACAULAY: That is where he made his charges in the affidavit.

MR. SEGUIN: When was it, Mr. Harvie, that Mr. McCaughrin—

THE CHAIRMAN: Just a moment.

HON. MR. MACAULAY: Mr. McCaughrin says here: "I did not feel that this procedure was proper or even decent, and I could not under any such circumstances accept money from you which would be tainted nor could I permit myself to be a party to this nefarious traffic in Government appointments." Now, that is a very serious charge that your client made as a result of conferences with you and other people over a period of two or three weeks. I want to know what attitude he took.

THE CHAIRMAN: I will make the ruling now, subject to the approval of the Committee, that any conversations between Mr. McCaughrin and Mr. Harvie, which have any bearing on this general charge of Mr. McCaughrin against Mr. Finlayson and Mr. Price, must be disclosed.

HON. MR. MACAULAY: Q. Now, I ask you what occurred at this conversation the day after Mr. McCaughrin had been down to Toronto and seen Mr. Finlayson?

A. You want conversation as near as I can remember it? .

Q. Yes?

A. He told me, in brief, what took place at Mr. Finlayson's office. Do you want that in detail as near as I can remember?

Q. No, that is enough. And then what happened?

A. Well, he asked me what I thought of it. I do not know, I think I simply told him that I thought it was unusual—there was not much discussion between us at that particular time but I do remember saying it was unusual particularly his statement to the effect that Gover was paying the money to McCaughrin for the retiring allowance.



Q. Yes, that is what you told him on this day?

A. Yes.

Q. And that was the end of that interview that day?

A. Yes, as near as I can remember.

THE CHAIRMAN: Q. Was there any suggestion on his part at that time that he was not getting enough or that it should be more than the discussions that took place in Mr. Finlayson's office set out or that he should try to get any particular amount?

A. Yes, there was some talk about the amount that he should get as a retiring allowance.

Q. From Mr. Gover?

HON. MR. MACAULAY: Q. How much did he say he ought to get?

A. Well, I think he said at one time it was over \$3,000; that Mr. Finlayson said that he thought he could get him \$3,000.

Q. What did he say about that, that he wanted more?

A. He did not seem to think it was enough.

Q. Thought it was not enough?

A. No.

Q. What did you advise him to do about it?

A. I advised him very little because I was reluctant to have much to do with it.

MR. WILSON: Q. You were his solicitor?

A. Well, certainly. He will tell you whether I encouraged him or not.

HON. MR. MACAULAY: Q. Well, when was the next interview, what happened? By the way, did you have any conversation with anybody else about it after that?

A. No.

Q. You simply continued to act as solicitor?

A. Yes. I do not think I saw him again. Well, I might have seen him two or three days afterwards but not again until after he had written the letter, the letter withdrawing his resignation, but he brought up to me a copy of that letter about three or four days after it was sent.

Q. He did not see you before he wrote that letter?

A. No, I did not even know he had written it.

Q. That was December 6th, 1933, was not it?

A. No, I think it is earlier than that.

Q. Which letter are you referring to?

A. Have you got the paper?

Q. There are all the letters there?

A. His letter of December 2nd.

Q. He came in to see you several days after he had written his letter of December 2nd?

A. Yes, and he never even consulted me about that letter.

Q. And what took place that day, what did he want to see you about on that day?

A. Well, there was not very much said that day, simply showed me copy of the letter, that is all. We discussed it, nothing much took place.

Q. Did he tell you what he thought he should get at that time, what he was requiring, what he thought he should obtain from the Government on retiring?

A. Well, there was one amount I can recall that he said he ought to get, because I think it was originally suggested, I think three or four thousand dollars, I am not sure.

Q. Thought he ought to get three or four thousand dollars?

A. Yes.

THE CHAIRMAN: From whom?

A. Well, from the Government.

Q. The Government?

A. Yes, because it was at that time that he decided that he should not take anything that came direct from Gover.

HON. MR. MACAULAY: Q. As a resident of Orillia you know, of course, that there had been a good many flare-ups there and complaints about his performance of his duties, and the question of his retirement had been discussed for some time, had not it?

A. Well, I do not know whether it was discussed or not.

Q. Well, your Town had requested that he resign at one time, had not they, and asked the Attorney-General to remove him?

A. What do you mean by the Town?

Q. The Town of Orillia passed a resolution?

A. You mean the Council?

Q. Yes?

A. I am not so certain of that, I do not remember it very clearly.

Q. Oh, now, you know what goes on around Orillia, as a prospective Liberal Candidate you keep in touch with all the news of the day. Do not you remember the Town Council passing a resolution some years ago demanding that the Attorney-General retire this man?

A. No, I cannot say I remember that.

Q. Well, let us get that—see if I can refresh your memory—you are not fair to yourself?

A. Well, that does not matter, but I cannot recall it.

Q. You know when you were advising Mr. McCaughrin as to how much he should get and from whom he should get it—all I am asking you, I want to be fair, you knew that the question of his retirement had been an active matter of discussion in and around Orillia for some time?

A. Oh yes.

Q. The documents will speak for themselves when we produce them. Now then, you saw him some days ago after he wrote the letter of December 2nd. When did you see him again?

A. If you show me that paper—

THE CHAIRMAN: Perhaps this will help you (handing witness letters printed in *The Globe*).

THE WITNESS: I think the next time I saw him he brought into me the letters written to him by the Attorney-General dated December 12th.

HON. MR. MACAULAY: Q. When did he see you that time.

A. I do not know, I may have seen him before that but that is the one I can recall because he brought a letter in to me, December 12th.

Q. Well, that would be after he had received that letter?

A. Yes.

Q. Well now, had you discussed this matter with anybody other than Mr. McCaughrin up to this time?

A. No. When I say "No," one of the Members of the Orillia Branch of the Legion, Canadian Legion, had come to me about it because he apparently had been discussing it with Mr. McCaughrin, it was only just a sort of rambling conversation.

Q. What day was Mr. Roebuck in Orillia at your Liberal meeting?

A. Well, whatever date the Liberal meeting was, I do not know.

Q. Well, you remember that meeting?

A. Yes, I remember that meeting, I was there.

Q. You do not remember the date?

A. No.

Q. It was December 12th, was it not?

A. Yes.

Q. Mr. Roebuck was in Orillia on December 12th?

A. Yes, sir.

Q. And was the Board of Strategy working on this at that time in Orillia?

A. What do you mean by Board of Strategy?

Q. Well, Mr. Roebuck is one, I think?

A. I would say from my own knowledge that Roebuck knew nothing about it at that time, that is from my own knowledge.

Q. That is as far as you know?

A. Yes, sir.

Q. How do you account for him turning up in *The Globe* office the day—

A. I don't know, I had nothing whatever to do with that phase of it at all, it is *The Globe's* business.

MR. MURPHY: Q. Did he meet Mr. McCaughrin when he was up there?

A. I don't know, I did not see him. McCaughrin had come into the



building, into the Opera House at the conclusion of the meeting, I do not know whether he was present at the meeting or not.

Q. How would Mr. McCaughrin go to Mr. Roebuck unless advised by someone?

A. Well, he probably was advised, I do not know. I did not advise him.

THE CHAIRMAN: Q. Did you discuss the matter with Roebuck?

A. No, not at all.

HON. MR. MACAULAY: Q. Well, what occurred—Mr. McCaughrin brought in the letter of December 12th and discussed it with you—what did you decide to do as a result of that?

A. Decided to write Mr. Price.

Q. And was there a letter prepared there?

A. No, Mr. McCaughrin wrote all these letters himself, I gave him some suggestions about the letter to Mr. Price.

Q. On what date?

A. That is the letter dated December 14th.

Q. I thought this bore the marks of legal authority?

A. It is not my language, you know.

Q. It is good language. You are recapitulating the events of the past in this letter?

A. Yes.

Q. Will you tell me if you and Mr. McCaughrin decided at this time that this arrangement was improper or inadvisable why do you say in your letter: "Before making a final decision I would like you"—that is Mr. Price—"to let me know what you mean by this proposal of special work; I would also like to read over and consider further the agreement made between Gover and myself." So that you and McCaughrin had not decided on December 12th that this was a nefarious trafficking in public offices, had you?

A. Yes.

Q. I beg your pardon?

A. Yes.

Q. You thought it was?

A. Yes, I mean that particular phase of it.

Q. If you thought before you wrote this letter that this transaction was nefarious and reprehensible, why do you write a letter saying "Before making a final decision," does it not look—

A. You are the solicitor—

Q. Just a minute, I am asking a question. Does it not look as though you and Mr. McCaughrin were still dealing with Mr. Finlayson and Mr. Price and friends who were trying to do the best they could for this Magistrate who the Town of Orillia was demanding be sacked? We find you sitting in on that sort of a picture up to the time you wrote that letter of December 12th?

A. No.

Q. Well, the letter there bears all ear-marks of it?

A. The letter, as you will perceive, was written for the purpose of getting a reply from Mr. Price, further enlarging on what he had said.

Q. You mean laying a trap?

A. Partly, yes.

THE CHAIRMAN: Read the letter.

HON. MR. MACAULAY: Q. So that while Mr. Price and Mr. Finlayson on their end were dealing with a man they were trying to get some retiring allowance for, you were trying to entice them on to make what you already had made up to your mind was an improper proposal?

A. You may put it that way.

Q. I think that is rather a serious statement to make, Mr. Harvie?

A. Well, you must remember I was acting as his solicitor.

HON. MR. MACAULAY: I do not know that there is any object served—do you want the letter read, Mr. Chairman?

THE CHAIRMAN: Yes.

HON. MR. MACAULAY: This is the letter that Mr. Harvie and Mr. McCaughrin between them composed on December 14th:

"Hon. W. H. Price, Esq., K.C.:

"Your letter of December 12th to hand. I must say I do not understand it fully.

"I wrote Mr. Finlayson a letter on December 2nd last and sent a copy to you indicating my withdrawal of my resignation and my refusal to go through with the arrangement with Gover for payment to me of \$2,000.00, because on second thought my conscience would not permit me to accept this money. As a result of this letter I went to see you personally at your request on December 6th, and at that time you informed me that the matter of my resignation had not been dealt with. You say now that my resignation had been accepted in spite of the fact that such acceptance was not communicated to me until the 12th of December. You also were to have sent on to me the arrangement between myself and Gover which was drawn by Mr. Finlayson, but you did not do so. If my resignation was accepted, why were the agreements not sent to me?"

"In the third paragraph of your letter to me of December 12th you say that there might be certain things that you could ask me to do as special work, which would provide some additional remuneration. This, of course, I do not understand, and before making a final decision I would like you to let me know just what you mean by this and also would like to read over and consider further the agreement made between Gover and myself.

"Please, therefore, forward to me my copy of this Agreement and in the meantime I want it clearly understood that you are not to make a public statement as suggested by you concerning my resignation for it stands withdrawn until this matter is finally cleared up."

So that you and McCaughrin represented yourselves as being still of the opinion that on further consideration of the whole matter that McCaughrin might consider it?

A. That would depend—

Q. Well, that is a fair inference from the reading of this letter.

A. Well, you may infer what you like but that does not necessarily follow.

MR. WILSON: Q. Is it your idea that this should be carried out, even though it was improper, if the amount was satisfactory?

A. No, it was not. I advised against him from the first as far as Gover was concerned.

Q. You did not intend the letter seriously?

A. Yes, because Mr. Price had made suggestion of giving McCaughrin additional work, did not say what it would be; he said I might do this and I might consider that.

Q. If you thought it was improper why did not you say so?

A. Why should I advise the Attorney-General what is proper?

Q. You were handling the negotiations?

A. I was McCaughrin's solicitor.

HON. MR. MACAULAY: Q. You were trying to get something for your client?

A. Yes, in a proper way.

Q. But you say what you were attempting to do all the time was improper for the Attorney-General to grant?

A. No, not if it came from the Government, if it was a Government arrangement; the arrangement considered improper was the one by which Gover would pay McCaughrin.

Q. You had no objection to the retiring allowance provided the Government paid it?

A. No.

MR. WILSON: Q. I think the witness has already said that he was aware that \$3,000 was to come from Mr. Gover.

A. No, I did not; I said that Mr. McCaughrin told me that Mr. Finlayson told him that he thought he could get him \$3,000, did not say where and how, and McCaughrin at that time thought it was from the Government.

MR. HEIGHTON: Q. Your position was that it was all right for the taxpayers to pay this money but not for a private individual?

A. I do not know but there was an arrangement to that end—

THE CHAIRMAN: Q. In other words, if Mr. McCaughrin could have obtained the \$3,000, you do not think this trouble would have arisen at all?

A. I do not think so, if it came from the proper source.

Q. The amount of \$3,000 would have been satisfactory if it came from a source satisfactory to you or to Mr. McCaughrin?

A. Yes, I think so. Mr. McCaughrin was making his own decision about the amount.

Q. The question where it came from would be a question from Mr. McCaughrin?

A. Yes. I was not making decision as to the amount.

Q. Mr. McCaughrin told you that he had come to Toronto and he had entered into an agreement which he had signed for \$1,500?



A. No, excuse me—

Q. \$2,000?

A. No, excuse me.

Q. He told you—

A. No, he told me that an agreement had been prepared which was not signed by himself for he was not even asked to sign it. He said that Gover had signed it and he wanted this to be submitted to Mr. Price for approval before he would have anything to do with it.

HON. MR. MACAULAY: Q. That is right in the document.

A. I have never seen the document.

Q. It says that right in the face of it.

THE CHAIRMAN: Q. What the Committee would really like to know is this: Was Mr. McCaughrin's chief dissatisfaction the amount—you can tell us that?

A. Well, at the kickoff it was, yes.

Q. Then later on he got worked up to the place where it was a trafficking in office?

A. Yes.

HON. MR. MACAULAY: Q. At what stage did it become improper—when the \$2,000 could not be stretched to \$3,000?

A. No, I do not think so.

THE CHAIRMAN: He has answered that.

THE WITNESS: McCaughrin made his own decision and the result of his decision was that letter of December 2nd; I knew nothing about it, he had written it himself.

HON. MR. MACAULAY: Q. You have told us about writing the letter of December 14th to Mr. Price—what was the next thing you had to do with this case?

A. Have you anyone I can refer to?

Q. Take that one?

A. The next time I saw him was when he had received a letter from Mr. Gover enclosing a cheque and he said that he had answered the letter and returned the cheque before he saw me.

Q. Well, anything as a result of that interview—that was after he had returned the cheque?

A. Yes. Then I asked him if he had kept a copy of his letter and he said “No,” he had written it in long hand. You see, he had written letter without consulting me about it, I do not know what he had said except he had returned the cheque and I advised him that he had better write and confirm what he had said and have a copy of his letter, which he did.

Q. That is why he wrote the second letter?

A. Yes.

Q. So that he would have the copy?

A. Yes.

THE CHAIRMAN: Q. When Mr. McCaughrin came to you first, did he tell you he had met Mr. Gover and discussed with Mr. Gover an amount which Mr. Gover was to pay him?

A. No, he said the only meeting he had with Gover was in the presence of Mr. Finlayson in Mr. Finlayson’s office, and I recall that McCaughrin was quite surprised that it was suggested that Gover contribute this \$2,000 instead of the Government.

Q. He conveyed no information to you that he had actually met Mr. Gover and had discussed with him how much he was to receive?

A. No.

Q. Never told you that?

A. Never, no. I understood that he had never met Gover privately.

Q. Did he tell you that?

A. Well, I do not recall that clearly but that is my understanding of it, I am not certain on that point.

Q. At all events, he did not inform you that he had met Mr. Gover and discussed how much he should receive?

A. No.

HON. MR. MACAULAY: Q. You knew about the arrangements that had been made in Orillia between Mr. Cotter and Mr. Evans?

A. No. Oh, you mean just what I read in the newspapers since?

Q. You had not known about that?

A. No.

Q. Where an arrangement had been made to retire an old official and successor over a period of years paid a portion of the retiring allowance?

A. No, I did not know of that until it was reported in the papers.

Q. You did not see anything wrong in that case, do you?

A. Yes, I do. I did not like it from the beginning. I discouraged McCaughrin right from the start as soon as he told me about it.

Q. Then what was the next thing that occurred—that is when you wrote this letter to Mr. Gover?

A. I think the next thing was when he brought up to me Mr. Humphries' letter of December 18th enclosing an Order-in-Council.

Q. What took place then?

A. The only thing that I can recall took place was McCaughrin expressing his desire to expose the whole business.

Q. That is, on December 18th?

A. Yes, sir.

Q. Then what did you have to do with it next?

A. I had nothing.

Q. Did you know anything about the preparation of the Declaration?

A. No, I was out of town when that was prepared. McCaughrin had left. I had not seen McCaughrin from that day until about three days after the thing came out in *The Globe*, and I was just as much surprised as you were.

Q. You do not know anything about the preparation of the document?

A. Except what McCaughrin told me.

Q. Afterwards?

A. Yes, sir.

Q. But before it was prepared?

A. I know nothing about it.

Q. Do not know anything about the alterations in it or form of it or anything else?

A. No.

Q. Do you know who does know about it?

A. Yes, McCaughrin has told me.

Q. Who prepared it?

A. He told me it was prepared by Harry Johnston.

Q. Who is Harry Johnston?

A. He is Secretary of the Liberal Association of Ontario.

Q. Prepared in Toronto or in Orillia?

A. Prepared in Orillia.

Q. Do you know what date it was prepared there?

A. Well, it was prepared that day I was away, I know.

Q. What day was that—can you fix it by reference to these documents?

A. When did the exposure come out in *The Globe*?

Q. 22nd of December

A. Can I see *The Globe*?

Q. Yes?

A. I was out of town on the 20th December, McCaughrin had gone to Toronto on the 21st, I did not see him again I think until the 22nd or 23rd.

Q. How did McCaughrin come to get in touch with Harry Johnston?

A. He tells me he got in touch with Harry Johnston through Mr. George McLean of Orillia.

Q. Who is George McLean?

A. Mr. Finlayson has just told you. George McLean was the Liberal candidate in the last Federal election, defeated Liberal candidate in the Federal Parliament.

Q. Was he acting in his professional capacity like you were too?

A. He could not be, he is not a solicitor.

Q. He was acting as a politician whereas you were only acting as a lawyer?



A. Absolutely.

Q. That is your view of it still?

A. Absolutely.

Q. Who was W. Griffith Bingham who takes this Declaration?

A. He is a solicitor in Orillia, solicitor in A. D. Thompson's office, who is, I believe, a neutral.

Q. When did Mr. McLean get in touch with Harry Johnston first?

A. Well, I do not know definitely. McCaughrin tells me he got in touch with him that day, the day the Declaration was sworn.

Q. This is the 21st. Mr. McCaughrin said in his story in *The Star* that it had not been sworn on the 21st of December.

A. Well, I am not responsible for that.

Q. You do not know when it was sworn?

A. No, not to my knowledge, he told me when it was sworn.

Q. Do you know in whose office this was typed?

A. Except from what I have been told, it was typed in George McLean's office.

Q. What is his business?

A. Real estate agent, insurance and conveyancing.

Q. By his stenographer?

A. I do not know, he has not got a stenographer. Well, he did have one, I do not know whether he has now.

Q. Who is Miss Cassidy?

A. She is a stenographer in my office.

Q. Does she know anything about this?

A. No.

Q. Not a thing?

A. No.

Q. Did Mr. Marshall have anything to do with this document?

A. I don't know.

Q. Have you heard that he did?

A. I have heard but it was only rumour. I do not give any credit to it at all.

THE CHAIRMAN: Any member of the Committee wish to ask any further questions?

MR. MURPHY: Q. Mr. Harvie, you were satisfied at the time when Mr. McCaughrin advised you that the Government were retiring him in the manner suggested in these letters that it was a proper thing to do?

A. No, not in the manner suggested in the letters. I was satisfied with the Government retiring him provided that retiring allowance—

Q. You were satisfied, so far as the resignation was concerned, in the public interest it was a local improvement?

A. That is not a fair question.

Q. Well, let us assume then that your answer will affirm it. What do you say about it?

A. You be more specific.

Q. Were you satisfied that this was a matter that should be accomplished and carry out the resignation of McCaughrin?

A. What you are trying to get from me is an admission that McCaughrin was not a good Magistrate?

Q. Yes?

A. I will say there are better magistrates; he did his best, though, I think, consistent with his ability and experience.

Q. You are satisfied in the interests of the administration of justice that McCaughrin was not any ornament to the bench?

A. I will only say there are better magistrates.

Q. There are better magistrates—well, he must have been a poor magistrate?

A. Not necessarily.

Q. “Not necessarily”—what do you understand by that—“not necessarily”?

A. Well, I would say that he is indifferently good.

Q. I mean are there any worse magistrates than McCaughrin?

THE CHAIRMAN: I do not think that is a fair question. I would suggest this: Mr. Harvie, in the Town of Orillia it has been common discussion for the past year or two that there should be a change in the magistracy at Orillia?

A. Yes, it has been suggested.

MR. MURPHY: Q. On one occasion I understand Mr. McCaughrin appointed you to act for the Crown in a case against a Mrs. Elder?

A. McCaughrin cannot appoint me to act for the Crown.

Q. Did he not call you up and ask you to take a case for the Crown?

A. I do not know whether— What were the circumstances of the case, what was it about?

Q. Some woman charged with stealing some turkeys?

A. I think Crown Attorney McGibbon asked me to do that, Crown Attorney McGibbon of Oshawa asked me to do that.

Q. You remember that the Magistrate was asked by the individual who laid the charge, Thomas Morris—do you remember it?

A. Yes, I am sorry, that is right. I acted for Morris, was Morris' solicitor.

Q. The Magistrate asked you to act for Morris?

A. No, Morris was a client of mine and has been for some time and Morris retained me to act for him in prosecuting that case.

Q. Did the Magistrate phone you up and tell you that Morris was going up to see you?

A. Well he may have done

HON. MR. MACAULAY: Just at that point may I read a letter which Mr. Morris wrote complaining about this incident?

MR. MURPHY: Well, will you let me finish this matter.

Q. What do you say about that?

A. What is that?

Q. Did McCaughrin call you up and advise you that he was sending Morris up to you?

A. I do not remember; I know Morris myself, consulted me about things, but I do not remember McCaughrin.

Q. You took the prosecution—you knew full well that the Crown Attorney should act in that capacity?

A. Yes. The Crown Attorney very rarely comes to Orillia from Oshawa, generally gets somebody else to act for him.

Q. But he did not instruct you in this matter?

A. No, I acted for Morris and Morris instructed me.

Q. Did you charge Morris?

A. Yes.

Q. How much?

A. I think my bill was around \$50.00 or \$60.00.

Q. And the case against Mrs. Elder was dismissed?

A. Yes.

Q. Is that right?

A. Yes, sir.

Q. And what happened on the day of the trial—was Mrs. Elder present at the time that the Magistrate adjudicated upon the matter?

A. Well, she was present at the trial, yes.

Q. No, on the day of adjudication, on the day that the matter was disposed of, was she present?

A. I do not remember clearly.

Q. Do you remember you strenuously objected to the magistrate disposing of the case in the absence of the accused?

A. I do not recall it clearly.

Q. Do you remember who was acting on the other side?

A. Yes, Mr. Marshal was acting for her.

Q. Well was not the Court suspended for a few hours while Marshall went out and brought this woman to the Court?



A. I do not recall clearly. I think I remember, yes, she got hung up in a snow-drift, her car broke down and she was not there at one period.

Q. And the Magistrate was going to dispose of the matter without her being there?

A. Well, possibly, I do not remember.

Q. And the charge was dismissed?

A. Yes.

Q. Then Mr. Thomas Morris went down to Oshawa and interviewed Mr. McGibbon?

A. Yes, sir.

Q. And another information was laid in Beaverton?

A. Yes, sir.

Q. And prosecution took place against Mrs. Elder with Thomas Morris in the roll of complainant and at that time McCaughrin sat with Magistrate known as Colonel Bick—is there a Colonel Bick in that district?

A. Yes, sir.

Q. And on that occasion there was a conviction?

A. I believe so. Of course, I had nothing to do with that, but I think that is right.

Q. You were satisfied at the time that McCaughrin dismissed the case that he was wrong?

A. Yes, I was. He has done lots of things like that to me.

MR. BAIRD: Q. Are you Mr. McCaughrin's general solicitor?

A. Yes.

Q. So that it was nothing unusual his coming to you with his political—

A. What do you mean?

Q. What I mean to say, Magistrate appointed by Conservative Government coming to Liberal Candidate for advice?

A. I have been McCaughrin's solicitor ever since he has been in Orillia. I have done quite a bit of work for him.

Q. Am I right in assuming there was nothing in your interviews with Mr.

McCaughrin suggested trafficking in public offices, that came to the front the first time in the Declaration that you had nothing to do with?

A. No, McCaughrin and I discussed that, I probably suggested that it was, during the course of my interviews with him.

THE CHAIRMAN: Any further questions, gentlemen? Thank you, Mr. Harvie.

WILLIAM GRIFFITH BINGHAM, sworn. Examined by HON. MR. MACAULAY:

Q. Is that your signature?

A. It is.

Q. Are you a solicitor?

A. I am a solicitor practising in the Town of Orillia.

Q. In whose office?

A. I am associated with Mr. A. B. Thompson.

Q. What do you know about this document, Exhibit 1?

A. Well, the explanation as to this document is as follows: On the 20th day of December, 1933, I received a phone call from Mr. George McLean at approximately 9 to 9.15 in the evening, in which he in fact stated that there was someone at his office who wished an affidavit sworn and he requested that I meet the party at my office. I told him that I could be there shortly and I went down to the office and opened up, and shortly afterwards, I would say at about 9.30, Mr. McCaughrin and another gentleman came into the office. There was this document and I believe a duplicate of the document, I cannot say positively, what appeared to be a duplicate of this document submitted, and Mr. McCaughrin asked me if I would swear his Declaration. He also stated that I need not concern myself with its contents.

Q. Did you not want to see that?

A. I told him I would be pleased to swear his Declaration and I had no interest in the contents of the document. By looking at it I noticed that the jurat was in the form of an oath and I asked him again if he was certain that he wanted Declaration sworn, and he stated that he was and I told him that the documents submitted were not in proper form.

Q. Who all were there at that time?

A. Another gentleman there.

Q. Who was it?

A. I do not know, I was not introduced to him.

Q. A stranger?

A. A stranger to me.

Q. That might be Harry Johnston?

A. I cannot say, I do not know Mr. Johnston.

Q. What sort of a looking chap was he—very wise, astute gentleman?

A. Well, as I recall, he would be a gentleman of—

Q. An old man?

A. About the age of 40 or 45.

Q. Dark or fair?

A. As I recall he would be about 5 feet 8 inches and rather heavily built, heavy, thick-set man.

Q. Rather stout?

A. Yes.

Q. That looks like Harry, all right. Well, did he take any part in the conversation?

A. He did not, not to my recollection.

Q. He was just master of ceremonies?

A. Well, other than that he accompanied Mr. McCaughrin and was seated in my office.

THE CHAIRMAN: Q. He took no part in the conversation at all?

A. None whatever.

Q. Your instructions came from McCaughrin?

A. Yes.

Q. What did you do then?

A. I asked Mr. McCaughrin if he in fact wanted Declaration and he stated that he did. I asked him if he wanted documents amended in form so that it would read as a declaration and he requested that I make the necessary amendment and I did, as you will plainly see.

HON. MR. MACAULAY: Q. What amendments did you make on the first page?

A. I think the amendments on the first page, the words—the amending Declaration written in at the top is not my writing but my initials and marks were in the word “Affidavit” is struck out, bears my initials. The words “Do solemnly declare” are written in not by myself but I do not recall, it looks like Mr. McCaughrin’s writing. As I recall, I told him to head the affidavit so that it would read, “Solemnly declare” rather than “Make oath and say,” and that he made that amendment himself.

THE CHAIRMAN: Q. Are all the changes that appear in this document initialled by you at the time?

A. I cannot say without perusing the document, closely.

Q. Look at your initials and see whether—

HON. MR. MACAULAY: Q. There is case where words rubbed out and others put in.

A. I myself struck out the jura sworn before me, etc., and typed in, “I make this solemn declaration conscientiously believing it to be true,” and cetera, down to the end.

Q. Now, what other changes did you make, changed the word “affidavit” on the first page?

A. No, I did not, that is Mr. McCaughrin’s writing, I presume.

Q. What about these changes down here, middle of the front page, was that done in your presence?

A. It was. I can explain it. After I typed the amendment on the bottom of the affidavit so that it would read as a declaration, I took it in the office in duplicate and I read over portion “and I make this solemn declaration conscientiously believing it to be true,” etc., and asked Mr. McCaughrin if he declared this document to be true and he did and he affixed his signature thereto and I signed it as a Commissioner. Then on looking at the document on the first page I noticed that there were in one or two instances—and I might say at this point, having been cautioned not to concern myself with its contents, I picked out a couple of corrections and initialled them accordingly and also requested that they be initialled by his Worship.

Q. Those corrections were not made in your presence, they had been made—

A. They had been made, that is corrections that appear in the body of the affidavit itself.

Q. Those changes had been made before you saw the document?

A. Yes, sir.



Q. And you insisted on them initialling them because you saw there had been an alteration?

A. Yes.

THE CHAIRMAN: Q. The document, at all events, which is now before you as Exhibit 1 is, as far as you can see, document that is in the form it was when you swore it?

A. Positively.

Q. You have initialled places where there are alterations?

A. Such as I observed in looking it over, but I may say I had no knowledge of its contents until I saw it published *The Globe* in on the 22nd, absolutely not.

MR. SEGUIN: Q. Were you paid for this?

A. I was not. I may say that Mr. McCaughrin made suggestion but I declined. He has often accommodated me swearing affidavits and as between ourselves we do not charge any fees.

THE CHAIRMAN: I would say that Mr. Bingham would play the game.

MR. SEGUIN: Q. Who suggested this document should be changed from declaration to affidavit?

A. As I recall, Mr. McCaughrin stated that he wanted to make declaration and when the document was submitted to me I saw that it was in the form of affidavit and I asked him if he wished to make a declaration and if so if he wanted it amended accordingly, and he stated that he did and the amendments were made to the documents.

THE CHAIRMAN: Any other questions? Thank you, very much, Mr. Bingham.

HON. MR. MACAULAY: Is Miss Cassidy here? I would like to call her.

Miss Cassidy come forward.

HON. MR. MACAULAY: You know nothing about this?

MISS CASSIDY: No, I do not.

HON. MR. MACAULAY: Not a thing?

MISS CASSIDY: No.

COLONEL W. W. DENISON, sworn. Examined by HON. MR. MACAULAY:

Q. What is your position in the Attorney-General's Department?

A. Inspector of Legal Offices.

Q. When were you appointed?

A. 1st of September, 1931.

Q. And when was the position of Magistrate at Orillia brought to your attention in any way?

A. Around the first week in September when I was appointed.

Q. What happened then?

A. Oh, I was advised there was some complaint about the office and I investigated the office the first time in the first two weeks of September.

Q. Who were the complainants?

THE CHAIRMAN: Q. What year?

A. 1931.

HON. MR. MACAULAY: Q. Who were the complainants?

A. I am not sure, I think it was in regard—I am not sure—I think it was in regard to fines for Highway Traffic breaches, but I am not quite sure who it came from.

Q. Then as a result of that what did you do?

A. I went over the office and I saw Mr. McCaughrin for the first time and I saw, as my duty compels me, I looked him over and I felt that he was not proper type of man to be magistrate holding that position in Orillia, and I arranged with the Highway people and we got rid of the complaints by changing the system up there.

Q. What was the difficulty or criticism that you had to make?

A. I considered that he lacked, I do not think he had any legal ability, I do not think he had any proper poise in court, I considered that he was impetuous, argumentative, and I do not think he had proper education for Police Magistrate.

Q. Did you have any subsequent complaints?

A. I had subsequent complaints. I went to Orillia—I go to Orillia in the summer-time and I know a great many people in Orillia, and I had people come to me in the ordinary course of business on the streets of Orillia about our Magistrate there and I used to remark, I think my remark in one or two cases was that it was one of the crosses I had to bear in the job.

Q. Did you get some complaints from the Mayor or Town?

A. Yes, the Mayor of the Town spoke to me about him, said that he could not get on with him and also the Chairman of the Police Commission of the Town, Mr. Tom Brown.

Q. Who was the Mayor?

A. Mr. A. R. Brown.

Q. What year did you get those complaints?

A. I think A. R. Brown complained, it may have even come in before I was Inspector, when I was known in the Town to be a Government Official, but the Tom Brown complaint came in when I was Inspector.

Q. You made an inspection in 1931?—did you make an inspection in 1932?

A. I did, made inspection in 1932.

Q. What happened that time?

A. I found the same situation going on, I find there was quarrelling with people in the Town, quarrelling with some of the solicitors and there was, I thought there was,—just simply corroborated what I had found in 1931.

Q. Did you advise the Attorney-General in 1932 of anything that he should do?

A. I told the Attorney-General in 1932 that I thought the appointment was an unfortunate one; I thought he was not bringing credit to the administration of justice in the County of Simcoe and I also told Mr. Humphries, the solicitor whom I dealt with a great deal in regard to all officials, and he said something should be done about Mr. McCaughrin.

Q. Then in November, 1932, did you receive a letter from McCaughrin enclosing a letter from Mr. McGibbon?

A. I did, I received a letter from Mr. McCaughrin enclosing a complaint that Mr. McGibbon, the Crown Attorney of Ontario County, had against the actions of the Police Magistrate at Orillia and McCaughrin wrote to me and asked me if he should get complaints like this and I wrote back to both of them trying to smooth the thing out and suggested that McCaughrin write down to McGibbon and tell McGibbon that he had trespassed, acted wrongly.

THE CHAIRMAN: Q. That who had trespassed?

A. That Mr. McCaughrin had usurped the position of Crown Attorney up in that part and I thought he should not do it and he should apologize to Mr. McGibbon and not try to take over the position of Crown Attorney as well as Police Magistrate.

Q. What was Mr. McGibbon's complaint to you?

A. Mr. McGibbon complained that Mr. McCaughrin had dealt with cases on the north end of that side of Lake Couchiching without even calling his attention to it, without letting the Crown Attorney know anything about it and he said that he would not be responsible for justice up there if this was carried on.

Q. Did you hear about the Morris case?

A. Yes, that was the case, I think that was the case where Mr. McGibbon was chiefly exercised about.

Q. Is that a sample of what the Magistrate—

A. That was a sample of what was going on. As a result Mr. McGibbon begged me to take the territory of Mr. McCaughrin in the County of Ontario away from him and give it to Colonel Bick because he said that he would not go before him.

Q. As a result of these continuous complaints what did you do as to the jurisdiction of Mr. McCaughrin?

A. I wrote to Mr. Humphries and I said I would really beg that the Government should change the jurisdiction of Mr. McCaughrin, confine him entirely to the County of Simcoe and let Colonel Bick take over his jurisdiction in the north riding of Ontario.

Q. And that was done?

A. Yes, sir.

Q. I produce a certified copy of Order-in-Council dated 6th June, 1933, which says:

"Copy of an Order-in-Council approved by the Honourable the Lieutenant-Governor, dated the 6th day of June, A.D. 1933.

"Upon the recommendation of the Honourable the Attorney-General, the Committee of Council advise that the jurisdiction of Police Magistrate Daniel McCaughrin of Orillia, in the Townships of Rama and Mara, in the County of Ontario, be rescinded; and that the jurisdiction of Police Magistrate Colonel Charles F. Bick, of Cannington, be extended to cover the said Townships of Rama and Mara, in the County of Ontario.

Certified.

(Sgd.) C. F. BULMER,  
*Clerk, Executive Council.*"

Now, then, my question is that the Order-in-Council followed your recommendation that the jurisdiction be cut down on account of his unsatisfactory performance there?



A. Yes, sir.

EXHIBIT 6: Order-in-Council dated 6th of June, 1933.

Q. Had you as Inspector inspected office of Magistrate Gover?

A. I did. I inspected him first in 1932 and I found that he was, to my mind, an exemplary magistrate. I also found that he was—I did not know that he was Secretary-Treasurer of the Police Magistrates Association of Ontario, and as such I had come in contact with him at their annual meeting and formed a real admiration for the man.

Q. Did you at any time recommend to the Attorney-General or any officials in his Department that Magistrate McCaughrin should be retired?

A. I? Oh yes, I said we ought to get rid of him. In fact, I do not think it is parliamentary language I used in getting rid of him.

Q. You did in your official capacity?

A. Yes, I did. As Inspector I said that he should be let go, more than once.

Q. Then you have inspected his office and you have inspected Mr. Gover's office. Then coming down to the time later in November or early in November, 1932, were you talking to Mr. Finlayson as to the advisability of retiring Mr. McCaughrin?

A. Yes, but may I interject that I told Mr. Gover in August that I thought a change was likely to be made and I hoped that he would be appointed for Orillia, as we had too many magistrates in the County of Simcoe and I would like to see him get Orillia.

Q. Then what happened after that?

A. On the day before Remembrance Day, Mr. Finlayson rang me up and he said, "I am going up to Orillia, I will probably meet Police Magistrate McCaughrin, there may be something done about change. Would it be satisfactory to you that Mr. Howard Gover be appointed Police Magistrate in Orillia?" and I said, "Eminently so," and I said, "I would be very pleased indeed to see him take over and let Mr. McCaughrin out."

THE CHAIRMAN: Any questions?

MR. McCAUGHRIN: Am I privileged to ask any questions of the gentleman who has just spoken?

THE CHAIRMAN: Yes.

MR. McCAUGHRIN: Colonel Denison, since you took the position of Inspector of Offices, how often did you officially visit my office?

A. I should think probably four or five times at least.

Q. Well, I have been checked three times.

A. Well, we are not very far apart.

Q. And can you recall any reflections or any frailties in the office?

A. I thought, to be frank with you, I thought you were out of your position as Magistrate. I thought the office—your clerk was doing her best—I thought you were doing your best but I did not think you had it in you to be Police Magistrate.

Q. Well, I had the capacity of being a Captain in the Canadian Engineers during the Great War and I got letters of commendation very frequently from officer in charge of that Department. It takes a little brains, I think, to be in that capacity.

THE CHAIRMAN: We are going to let you speak presently. Have you any more questions?

MR. McCAUGHRIN: Yes, I have.

Q. Why, the last time you inspected my office you told me everything was lovely, what you said there was one frailty and that is I was too easy. I was simply following up the request of the Attorney-General when he said in these hard times do not be too hard. Why, I thought you were one of my greatest friends.

HON. MR. MACAULAY: Do not make a speech, just ask questions.

MR. McCAUGHRIN: Furthermore—

HON. MR. MACAULAY: We will give you a chance to give your evidence this afternoon.

MR. McCAUGHRIN: He made some mention of a case of Mr. Morris. Mr. Morris, of course, made the complaint to the Crown Attorney, now his Honour Judge McGibbon, and the whole matter was investigated without looking at one word of the evidence.

Q. Now, from the Town of Orillia, what complaints did you get?

A. I stated I got complaints, definite complaints from the two Browns and I also stated that I was not prepared to say—I got ordinary, not complaints, but ordinary shall we say—well, quite frank razzing from the people in the town about the Police Magistrate, and I always said you were trying to do your best.

Q. All right, as to my ability?

A. As to your legal ability and on the bench.

Q. Can you cite one case where I adjudicated without full knowledge of the cases I had?

A. No, I cannot.

MR. McCAUGHRIN: I had the confidence of the people of Orillia, and Mr. Macaulay, I will have something to say this afternoon. How long will you give me to talk?

HON. MR. MACAULAY: I would like to call Mr. Humphries before we adjourn.

I. A. HUMPHRIES, sworn. Examined by HON. MR. MACAULAY:

Q. When was Mr. McCaughrin appointed? What is your position in the Attorney-General's?

A. I am Senior Solicitor.

Q. And what position did you hold at the time of Mr. McCaughrin's appointment?

A. The 17th day of June, 1927, I was the Inspector of Legal Offices.

Q. Then you were Colonel Denison's predecessor?

A. Well, Mr. Sedgwick came in for about a year between Colonel Denison and myself, I was Inspector of Legal Offices until 1928, I think.

Q. In 1927 you held the same office that Colonel Denison holds now?

A. Yes, sir. Mr. McCaughrin was appointed on the 17th day of June, 1927 that is certified copy of the Order-in-Council appointing him.

Q. What jurisdiction did he have?

A. He was given jurisdiction in the Town of Orillia, and the Townships of Orillia and Oro in the County of Simcoe, together with the Townships of Rama, Mara and Thorah, including the Village of Beaverton, in the County of Ontario, and the Townships of Longford, Dalton, Digby and Carden in the County of Victoria, and he was paid a salary for his duties outside of the Town of Orillia at the rate of \$1,300 a year.

Q. What did he get from the Town of Orillia?

A. He gets from the Town of Orillia \$1,300, is it, or \$1,500?

MR. McCAUGHRIN: \$1,500 for the last two years, owing to it being over 8,000 I was increased.

EXHIBIT 7: Order-in-Council dated 17th day of June, 1927.

"Copy of an Order-in-Council, approved by His Honour the Lieutenant-Governor, dated the 17th day of June, 1927.

"Upon the recommendation of the Honourable the Attorney-General, the Committee of Council advise that Mr. Daniel McCaughrin, of the Town of Orillia, be appointed Police Magistrate in and for the said Town of Orillia and the Townships of Orillia and Oro in the County of Simcoe, together with the Townships of Rama, Mara and Thorah, including the Village of Beaverton, in the County of Ontario, and the Townships of Longford, Dalton, Digby and Carden in the County of Victoria, in the room and stead of George H. Clark, deceased.

"The Committee further advise that the said Police Magistrate Daniel McCaughrin be paid a salary by the Province to cover his duties outside of the Town of Orillia at the rate of Thirteen Hundred dollars (\$1,300) per annum, such salary to be paid out of Vote 13, Item 18, of the Current Estimates.

Certified,

(Signed) C. F. BULMER,  
*Clerk, Executive Council."*

By MR. MACAULAY: Q. What was the next Order-in-Council in reference to this office at Orillia?

A. The next Order-in-Council is an order dated the 25th day of November, 1927, which deals with an allowance for clerical assistance, and rent.

Q. He asked for an increase in salary or allowance of some kind?

A. Mr. McCaughrin asked for some allowance be given to him in the way of clerical help and for rent and as a result of his request this order was passed providing an allowance of \$200 a year to cover clerical assistance and office rent.

EXHIBIT 8: Order-in-Council dated 25th of November, 1927.

"Copy of an Order-in-Council approved by His Honour the Lieutenant-Governor dated the 25th day of November, A.D. 1927.

"Upon the recommendation of the Honourable the Attorney-General, the Committee of Council advise that Mr. Daniel McCaughrin, Police Magistrate of the Town of Orillia and certain portions of the County of Simcoe, the County of Ontario and the County of Victoria, be paid an allowance at the rate of Two Hundred Dollars (\$200.00) per annum to cover clerical assistance and office rent in so far as his duties as Police Magistrate outside of the Town of Orillia is concerned, such allowance to commence as and from the 1st November, 1927, and to be paid out of Vote 15, Item 18, of the Current Estimates.

Certified,

(Signed) C. F. BULMER,  
*Clerk, Executive Council."*



Q. Now, Mr. Humphries, as Inspector of Legal Offices, did you get complaint or request from the Town of Orillia for the dismissal of Mr. McCaughrin some time in the year 1928?

A. I produce a file, No. 2497, of the Department, and I have a letter here dated October 1st, Orillia, Ontario, 1928, signed by Mr. C. E. Grant, Clerk of the Town of Orillia. We will take the letter off the file.

Q. This letter is headed "Town of Orillia, and is dated October 1st, 1928, addressed to the Attorney-General, Province of Ontario, Parliament Buildings, Toronto:

"Dear Sir:

"At the Council meeting held Monday, October 1st, the following resolution was passed:

"Whereas, in the opinion of this Council, it is not in the interest of enforcement of law and proper administration of justice that the present Police Magistrate of the Town of Orillia be retained in that position. Therefore, be it resolved that this Council respectfully request The Honourable the Attorney-General of the Province of Ontario to remove the present Police Magistrate and appoint another in his stead.

"A copy of the above resolution was ordered to be forwarded to the Attorney-General of the Province of Ontario.

"Yours truly,

"(Signed) C. E. GRANT,  
*Clerk, Town of Orillia.*"

EXHIBIT 9: Letter dated October 1, 1928, from the Town of Orillia.

THE WITNESS: You direct me to take it off the file?

HON. MR. MACAULAY: Yes.

Q. As a result of that resolution was report prepared for the Attorney-General?

A. Yes, there was.

Q. I believe Mr. Middleton made a report. Have you got that in the file?

A. I have.

Q. Will you produce it, please?

A. Will you direct me to take it off?

Q. Yes, I ask the Chairman to direct you.

THE CHAIRMAN: Yes.

THE WITNESS: This is a report from Mr. Middleton which I take off of File 2497. It is a report to the Attorney-General, dated October 5th, 1928.

HON. MR. MACAULAY: Q. Gentlemen, this is a long report and I will read what I think are pertinent matters in it. He recites the history of this appointment.

"At this stage of the matter I referred the same to Mr. Humphries, the Inspector, asking him to look into the matter and approve of an office or otherwise under the provisions of the regulations. Mr. Humphries made a special visit to Orillia and decided that none of the propositions that had been made were at all suitable. He reports that everybody seemed to be at arms length, but that after some time it was decided that a room, which had been used as a waiting room toward the back of the Municipal Buildings could be cleaned up and painted, and would be sufficient for the Magistrate's purposes, and he left the Committee of the Council understanding that this was to be done. This was quite recently.

"I should judge that the resolution that has now been forwarded is largely a piece of spite work in connection with the Council having been obliged to provide an office for the Magistrate.

"Mr. McCaughrin is not what could be considered in any way a good Police Magistrate. I think he really has the best intentions, but his ability to absorb proper legal views seems doubtful. He does not seem to be diplomatic in his manner of handling questions, and certainly seems to have got the Representatives of the municipality in question absolutely up in arms.

"The resolution in question assigns no reason whatever for his dismissal, and I feel strongly that this Municipal Council should not be allowed to obtain their purpose of getting back at the Police Magistrate in the manner they are attempting. I have some doubt as to how the matter should be handled. If the Department asked for a definite charge against the Magistrate, it may only have the effect of widening the breach that there is at present. There seems to be at present a strong feeling against the Magistrate, whether well founded or not, and it might result in having to make an investigation, which would not be beneficial. I am rather inclined to think that if the receipt of the resolution were just formally acknowledged and the matter allowed to stand until the heat evaporated somewhat that that would be the best way of dealing with the matter. If you desire, I should be pleased to discuss the matter with you personally."

EXHIBIT 10: A. M. Middleton's Report.

Q. As a result of Mr. Middleton's report what was done by the Attorney-General's Department with this request of the Town Council for the dismissal of Mr. McCaughrin?

A. A letter was written to Mr. Grant, the Clerk of the Town of Orillia, on

the 26th day of October, 1928, by Mr. Middleton and that is a copy of it which I produce.

Q. This is a copy of Mr. Middleton's letter to the Town of Orillia disposing of this Resolution, dated October 26th, 1928.

"Toronto 5, October 26th, 1928.

"C. E. Grant, Esq.,  
"Clerk, Town of Orillia,  
"Orillia, Ontario.

"Dear Sir:

"I am instructed by The Honourable the Attorney-General to acknowledge the receipt of your communication of the 1st instant, enclosing copy of a resolution passed by the Municipal Council of the Town of Orillia, requesting the dismissal of the Magistrate.

"I am directed to call to your attention that the appointment of Magistrates is a matter for the Department and in the administration of justice throughout the Province it is not possible that the policy of the Department should be left to resolutions from the Municipal Council of individual municipalities.

"You can readily see that such a course would lead to confusion.

"While, therefore, your resolution is received by the Department, I am instructed to say that it is impossible that action should be taken upon it as such.

"No charge of wrong-doing has been made against the Magistrate. If, however, any person will assume the responsibility of making such a charge, giving the facts relied upon in writing, the same will have the consideration of the Department.

"Yours truly,

*"Solicitor, Attorney-General's Department."*

EXHIBIT 11: Letter dated October 26th, 1928, to C. E. Grant, Clerk, Town of Orillia.

Q. Now then, following that were there any complaints to your knowledge in the year 1929?

A. Yes, there were. I have a file here, Department File No. 2389, which deals with complaints made by J. A. McGibbon, Crown Attorney, Ontario County, against Police Magistrate McCaughrin for appointing solicitors to act for the Crown Attorney without his consent and there are a number of letters on that file and I think I will just let you have the whole file.

Q. The whole file relates to complaints?

A. Yes.

## EXHIBIT 12: File of letters.

HON. MR. MACAULAY: I would like to summarize these letters to you, gentlemen. Here is a letter of the Crown Attorney dated July 22nd, 1929, addressed to I. A. Humphries, Esquire, K.C., Attorney-General's Department, Parliament Buildings, Toronto.

"Dear Mr. Humphries:

"I want to thank you for the letter which I received this morning in regard to the printing of the tickets for the Oshawa Dance Hall.

"There is another matter which I want to lay before the Department and in the strongest possible terms. That is in regard to the jurisdiction which is at present being exercised by the Magistrate residing at Orillia. I have had no little trouble with this man, and much to my surprise I find that he has been appointing solicitors to act for me without my knowledge or consent, and a good deal of correspondence has passed between the Magistrate and myself, and he has admitted that he appointed these people to act for me."

Now, just on that particular point before reading further, is there any sanction or excuse from Magistrate dealing with cases or appointing people to deal with cases without conferring with the Crown Attorney?

A. No.

Q. That is the Crown Attorney's job?

A. That is his business; that is what he is there for. He is there to be consulted by magistrate.

"In the first place I don't think the Magistrate is competent, and in the second place if the L.C.A. is to be properly enforced, and if the Provincial Police are to be assisted, so far as I am personally concerned I want all my cases which arise in the Townships of Reach, Mara, Brock or Thorah tried before Magistrate Bick or Magistrate Purdy at Port Perry.

"There is a case which the Provincial Police had in Orillia on Saturday and in which I asked Mr. N. B. Tudhope to act during my absence from the City, and three Provincial Officers gave evidence that the man was intoxicated and I believe two or three gave evidence saying that he was not intoxicated. In the face of the evidence of the strongest kind the Magistrate dismissed the case, and this will have an untold effect upon the Provincial Police in enforcing this matter in this northern locality, and so far as I am concerned I do not want this Magistrate to try any more of my cases, and I would ask you to kindly arrange to have his jurisdiction confined to Orillia and the County of Simcoe, and to have Magistrate Bick placed in charge of the northern part of the County of Ontario."

Then there is a letter from Mr. Humphries to Mr. McCaughrin dated July 23rd, 1929:



"It has been brought to our attention that you have been appointing solicitors to act for the Crown Attorney of the County of Ontario, without his knowledge or consent and that considerable correspondence has passed between you and the Crown Attorney.

"I would be obliged if you would advise me whether you have been doing this, and I may say that if so, the practice is not proper and you should communicate with the Crown Attorney in matters that arise within the jurisdiction of the County of Ontario, over which you have authority. That is the purpose of the Crown Attorney and our Police Magistrates should not hesitate to communicate with the Crown Attorney in matters which require his attendance or advice."

Then there is a letter to Mr. McGibbon, dated July 23rd, 1929:

"Your letter of July 22nd received, in reference to Police Magistrate McCaughrin of Orillia. I have written this Police Magistrate to-day asking him if he has been in the habit of appointing solicitors to act for you without your knowledge or consent, and telling him this practice is not proper.

"In regard to the jurisdiction mentioned in your letter, this is something over which I have no power, but it is a point that is well worth consideration, and will be brought to the attention of Colonel Price on his return in the Fall."

Then a letter from Mr. McCaughrin dated 24th July, 1929, addressed to Mr. Humphries:

"Your file 2389 29 under date of July 23rd received and in reply will say, I am sorry that the Crown Atty. of the County of Ontario regards my attitude towards his jurisdiction this way.

"I would not even think of appointing, if it were in my power, any Solicitor to act for him and I quite assure you I never have.

"Since I took the position here every case of major importance arising in Ontario County coming under my jurisdiction I always advised the Crown Atty. of the county and asked his advice on some questions relating to where we should hold our courts most convenient to him and as I have been here since July, 1927, but he has never yet responded to any of our requests to attend on some very important cases I asked him if he was unable to attend kindly appoint some to represent him, this he did in a few cases.

"May I ask that the Crown Atty. for Ontario Co. produce evidence of a case where I asked or appointed any solicitor to act for him."

Q. Well, is that a fact, Mr. Humphries, did he appoint solicitors other than the Crown Attorney to attend prosecutions?

A. Well, all I know is what Mr. McGibbon stated there and what I have heard this morning about Mr. Harvie and Mr. Morris, about these turkeys. Then there is a letter of July from Mr. Humphries to Mr. McGibbon enclosing copy of Mr. McCaughrin's letter.

Then there is a letter in reply from Mr. McGibbon, County Crown Attorney, to T. S. Golding, Esquire, Attorney-General's Department, dated August 6th, 1929:

"I have your letter in regard to the request of Inspector F. E. Elliott in order to appeal this decision. If your Department does not take any action in this matter it is making a great mistake.

"This is not the first time that the Magistrate at Orillia has acted in this manner, and if the Provincial Police are not supported and the L.C.A. carried out in this northern section of the county, this matter must be cleaned up forthwith.

"I am not in favour of this case being allowed to pass at all, because so far as I am concerned, I refuse to take any more prosecutions before this Magistrate, and I would ask you to support me and also the Police, and have this appeal lodged forthwith."

Then there is a copy of letter from the Solicitor of the Attorney-General's Department, Mr. Common, to Mr. McGibbon, dated August 7th, 1929:

"Dear Mr. McGibbon:

"Your letter of August 6th addressed to Mr. Golding of this Department was handed to the writer to-day. I have just returned from my vacation and did not have an opportunity of examining the facts in this particular case.

"I appreciate your state of mind in connection with the decision of the Magistrate, as the writer has been in a similar position several times recently. I had a long discussion with the Attorney-General sometime ago regarding Crown Appeals on questions of fact and he expressed the view, at that time that as far as this Department was concerned, those appeals which involve an important question of law only, should be taken by the Crown. As a matter of fact, to my knowledge, there has only been one Crown Appeal to the County Judge on behalf of the Crown since the Act came into force. This was the American Legion case at Windsor, which you no doubt noticed at the time.

"Please do not think it is lack of co-operation on the part of this Department or the Provincial Police."

Then there is a letter from Mr. McGibbon to Mr. Humphries, dated August 15th, 1929, in reply to Mr. McCaughrin's statement that he had not appointed any people to act in the Crown Attorney's place:

"I have your letter in the above and I am enclosing herewith some letters which speak for themselves, and will prove to you that my stand is correct and that the Police Magistrate has deliberately lied to you.

"I have had trouble with the Police Magistrate from the beginning, and the last case which he had was one in which I asked Mr. Tudhope to act for me, and due to some friction the case was dismissed and so far as I am

personally concerned regarding the enforcement of the L.C.A. I would not have any more cases tried before him.

"There is also another case of Mrs. Cecilia Herman from this county. She was up on a charge of selling liquor and she was convicted and the case was appealed, so I am advised, but no papers were ever served upon me as Crown Attorney. The woman got bail, how, I do not know, and she was later picked up and arrested by the Provincial Police and placed in the Whitby Jail.

"I think that these letters speak for themselves, and I enclose the complete file, and you might return them to me. So far as the Magistrate is concerned, he apparently issues the information, sets a date for the trial, and then writes me asking me if I can be present, when it is absolutely impossible for me to be there, unless I can have my calendar complete, because there are so many cases which are coming and going, that I must know in advance what he wants. I have had a considerable trouble with the Police Magistrate and I think that this man is most incompetent.

"You can return my file when you have perused the contents."

I think we will have to have Mr. McGibbon, who is now a Judge of the County Court, here to produce that file of letters. They have been returned to him?

A. Yes, I returned them to him in the next letter.

Q. Then there is a letter from Mr. Humphries to Mr. McCaughrin dated September 13th, 1929:

"In further reference to my letter of July 23rd, I would suggest that you make it a point to advise Mr. McGibbon, the Crown Attorney, of cases that require his attention and attendance that come before you in his jurisdiction—the north part of the County of Ontario.

"It would seem to me that where it is impossible for him to attend on dates, that arrangements should be made by you over the telephone before fixing dates of hearing, with the Crown Attorney, so that he may be present in all proper cases."

Then another letter from Mr. Humphries to Mr. McGibbon, dated September 13th, 1929:

"Re Police Magistrate McCaughrin.

"On my return to the office I have your letter of August 15th, herein.

"I have perused your file and return the same herewith to you.

"I am sorry that you have had the difficulty with the above-named Police Magistrate.

"I have written again to Mr. McCaughrin telling him that in all cases

he must advise you, and if it is not convenient for your attendance, to arrange the date of trial so it would be satisfactory for your attendance.

"It is the desire of the Department that Crown officers attend where necessary in order that there may be proper attention given to cases that come before our Police Magistrates."

EXHIBIT 12: File No. 2389.

Q. Now, in the year 1930 coming on to the next year, is there anything in reference to this office?

A. Yes, I have a file here, File No. 1644. There is a memorandum here dated the 9th of May, 1930, from myself to the Attorney-General and there is a letter from me to Mr. McCaughrin of the 29th of May, 1930, and a letter from Mr. McCaughrin to myself dated 31st of May, 1930.

Q. I would ask you to take them off the file and tender them as exhibits.

A. I might say if there is anyone wants to examine the rest of those files they are at perfect liberty to do so.

THE CHAIRMAN: Mr. Humphries has pointed out in case any members of the Committee have not heard that those files from which these letters are removed are open for inspection to any member of the Committee.

HON. MR. MACAULAY: Q. Am I right in saying, to summarize these documents, they are in relation to taking away from the Magistrate some of his jurisdiction?

A. Quite right.

Q. Why was that done?

A. Well, that was done following the complaints that had been made by Crown Attorney McGibbon.

Q. I see amongst these documents your report to the Attorney-General of May 9th, 1930?

A. Yes.

"Memorandum for the Attorney-General.

*"Re Colonel Bick's jurisdiction—Ontario County.*

"I concur in Colonel Bick's suggestion that he be given jurisdiction over the Townships of Mara, Thorah and the Village of Beaverton. Cannington is only about 10 miles from Beaverton and Thorah and Mara Townships are close by and could be better looked after than by having the Police Magistrate from Orillia come down.



"As you know there has been considerable dissatisfaction with the manner in which Police Magistrate McCaughrin administers justice and it has more or less died down in the last year or so. I think it would be good business to let Colonel Bick act for the Village of Beaverton and these two townships. Police Magistrate McCaughrin could still look after Rama Township which is close by. There would be no reason to alter the jurisdiction of Colonel Bick and Police Magistrate Purdy over Scugog and Reach.

"Of course it would be necessary to communicate with Police Magistrate McCaughrin and state that owing to the proximity of Beaverton to the residence of Colonel Bick and to the two Townships, it is thought to be in the interests of the administration of justice that he look after these cases.

"The Province of course will lose a little on the matter because Mr. McCaughrin is paid a salary and returns fees, while Colonel Bick retains the fees. But it would not amount to a great deal and in view of the fact that Crown Attorney McGibbon also approves of the arrangement and has written letters before in connection with some difficulties with Police Magistrate McCaughrin, in my opinion this would be very satisfactory and if you approve I will draw the necessary recommendation and Order."

**EXHIBIT 13: Report to Attorney-General May 9th.**

Q. And as a result of those complaints and your recommendation to the Attorney-General what was done with Magistrate McCaughrin's jurisdiction?

A. As a result of that two Orders-in-Council were passed both dated 13th day of June, 1930, and one of them rescinds the jurisdiction of Daniel McCaughrin for the Township of Thorah and the Village of Beaverton and the other one gives that jurisdiction to Colonel Bick:

"Copy of an Order-in-Council, approved by the Honourable the Lieutenant-Governor, dated the 13th day of June, A.D. 1930.

"Upon the recommendation of the Honourable the Attorney-General, the Committee of Council advise that that part of the Order-in-Council dated the 17th day of June, 1927, appointing Daniel McCaughrin of the Town of Orillia, Police Magistrate in and for the Township of Thorah, including the Village of Beaverton in the County of Ontario be rescinded. The said jurisdiction having been transferred to Police Magistrate Charles F. Bick, of Cannington, Ontario.

"The Committee further advise that the said Daniel McCaughrin have concurrent jurisdiction with Police Magistrate Charles F. Bick in the Township of Mara."

And

"Copy of an Order-in-Council approved by The Honourable the Lieutenant-Governor dated the 13th day of June, A.D. 1930.

"Upon the recommendation of the Honourable the Attorney-General, the Committee of Council advise that the Jurisdiction of Police Magistrate Charles F. Bick of Cannington, who was appointed by Order-in-Council dated the 25th day of January, 1929, be extended to include and cover the Township of Thorah, including the Village of Beaverton in the County of Ontario, together with joint jurisdiction in the Township of Mara in the County of Ontario with Police Magistrate Daniel McCaughrin."

EXHIBIT 14: Two Orders-in-Council dated June 13th, 1930.

Q. Now, is there anything in your files for 1931 relating to this case?

A. Nothing in 1931.

Q. There is File 1253—have you that file?

A. Yes. That deals—

Q. Is there something in 1932 in the file?

A. In File 1253 there is a letter from Colonel Denison, Inspector of Legal Offices to the Attorney-General, dated 14th day of December, 1932.

Q. Yes, this confirms what Colonel Denison said this morning. This is a letter dated December 14th, 1932, from Mr. Denison, Inspector of Legal Offices, to the Attorney-General, in which he says:

*"Re D. McCaughrin, Police Magistrate, Orillia, Ont.*

"I am having complaints from the Crown Attorney of the County of Ontario regarding the behaviour of Police Magistrate McCaughrin. This Magistrate has concurrent jurisdiction in the County of Ontario in the Townships of Rama and Mara, and I would suggest that this jurisdiction be taken away from him and that Colonel Bick be instructed to take care of this territory.

"I would also suggest that Colonel Bick be placed on salary, and be given the whole county, with the exception of the south end. I should think that a salary of \$1,000.00 a year would be a proper one."

EXHIBIT 15: Letter dated December 14, 1932, from W. W. Denison to the Attorney-General.

Q. Then is there anything in 1933?

A. There is another letter on this same file, May 31st, 1933, letter from Mr. McGibbon.

Q. This is a letter from Mr. McGibbon to Mr. Humphries requesting something be done about the Magistracy in Rama and Mara, dated May 31st, 1933?

A. Yes. As a result of that an Order-in-Council was passed on the 6th

day of June, 1933, which took away from Police Magistrate McCaughrin the remaining jurisdiction that he had in Ontario County, namely, Rama and Mara:

"Dear Mr. Humphries:

"I discussed with you some time ago, and your Department, concerning their intention of increasing the jurisdiction of Colonel Bick of Cannington to Rama and Mara. I have heard nothing further. As the summer season is approaching and there will be a good many accident and traffic cases to handle, I would appreciate it if you would see that this matter is attended to at an early date."

EXHIBIT 16: Letter from Mr. McGibbon to I. A. Humphries, K.C.

"Copy of Order-in-Council approved by The Honourable the Lieutenant-Governor, dated the 6th day of June, A.D. 1933.

"Upon the recommendation of the Honourable the Attorney-General, the Committee of Council advise that the jurisdiction of Police Magistrate Daniel McCaughrin of Orillia, in the Townships of Rama and Mara, in the County of Ontario, be rescinded; and that the jurisdiction of Police Magistrate Colonel Charles F. Bick, of Cannington, be extended to cover the said townships of Rama and Mara, in the County of Ontario.

"Certified,

"C. F. BULMER,

*"Clerk, Executive Council."*

EXHIBIT 17: Order-in-Council dated 6th day of June, 1933.

Q. Now, that completes the files, does it?

A. Yes.

THE CHAIRMAN: Suppose we adjourn until 3.30. We can ask the Prime Minister to give Committee power to sit and Members of Committee will come back at 3.30.

MR. McCAUGHRIN: Might I ask this one question of Mr. Humphries?

Q. Did you know at the time that this request was made from the Municipality of the Town of Orillia why that motion was passed in the Orillia Town Council—did you know the reason why?

A. I do not think I did because I transferred the letter to Mr. Middleton, who was solicitor of the Department at the time, and he dealt with it.

Q. Well, you were on duty at the time because as a result of my protest against this request that was made to have me put out of office, you came up to Orillia and examined the situation and the result was that you ordered the accommodation of the Magistrate of the Town of Orillia to be brought up to

the requisites of The Magistrates' Act and gave them only nine days to do it and the reason that they passed that Order-in-Council was because my predecessor had an office of his own and The Magistrates' Act says you must provide office and full equipment, and you were there and addressed the Town Council and you ordered them and, believe me, inside of eight days I had a beautifully equipped office by your orders.

A. I did pretty well for you.

Q. You did, and I appreciated it very much. But it looks to me as if all this correspondence here is quite irrelevant to the case in question because my charge is specifically that Gover offered me \$2,000 and I refused.

HON. MR. MACAULAY: Yes, that is all right.

There is a letter from Mr. McCaughrin explaining his attitude as to that resolution of the Town of Orillia which I would like produced.

THE WITNESS: That letter is a letter marked "Personal" from Mr. McCaughrin to me.

HON. MR. MACAULAY: I would like it produced to Mr. McCaughrin. It is on the official files and ask him if he objects to produce it.

MR. MCCAUGHRIN: I have also a very charming letter—

HON. MR. MACAULAY: I want this personal letter produced now.

THE CHAIRMAN: Well, the Committee is gone.

HON. MR. MACAULAY: Well, I want to put that letter in. Have you any objections, Mr. McCaughrin?

MR. MCCAUGHRIN (reads letter): I do not recall it. I have not any objection.

HON. MR. MACAULAY: Well, if you are satisfied we will put it in.

THE CHAIRMAN: Take it off and I will draw it to the attention of the Committee when they come in.

EXHIBIT 18: Letter.

Adjourned at 2.30 p.m. to 3.30 p.m.

On resuming at 3.30 p.m.:

THE CHAIRMAN: Gentlemen, will the meeting come to order.

The evidence so far presented to the Committee this morning we have had from Mr. McIntosh the production of the affidavit of Statutory Declaration signed by Mr. McCaughrin and published in *The Globe*. We have had the evidence



of Mr. Harvie. We have had the evidence of Mr. Bingham of Orillia. We have had the evidence of the officers of the Crown who have pointed out to the Committee, particularly Mr. Denison, that in his opinion the Administration of Justice in the hands of Mr. McCaughrin, the Magistrate, was not such as met with the approval of his Department and his recommendations which he told us of to the Attorney-General, and Mr. McCaughrin is here and I would invite Mr. McCaughrin to make such representations as he may care to make to the Committee in support of his charges to the effect that two Ministers of the Crown were trafficking in disposal of public office. So that if you will come forward, Mr. McCaughrin, either as a witness or otherwise, we will be glad to hear any representations you care to make.

DANIEL MCCAUGHRIN, sworn. Examined by THE CHAIRMAN:

Q. Now, Mr. McCaughrin, the evidence before the Committee is the affidavit, according to the testimony of Mr. Harvie, was prepared by Mr. Harry Johnston, the Organizer for the Liberal Party or Secretary, and the evidence of the Crown Officers, Mr. Denison and Mr. Humphries, is to the effect in their opinion it was in the interests of justice that you should be removed from office. The evidence further is that you went to Mr. Harvie at Orillia, a Solicitor who was from time to time employed by you and that you complained to him or mentioned to him that you had expected to get \$3,000, and that any amount less than that was unsatisfactory. His further evidence is that it was suggested by him that the nature of the transaction was one which in his opinion was a trafficking in public office and was not proper. Now, that is the evidence, roughly stated up to now, and any evidence you care to give or statement you care to make will be reported.

A. May I refer to some of the points set out by Mr. Harvie?

Q. Yes?

A. Well, regarding this \$3,000, if I might just mention a few points leading up to that promise that Mr. Finlayson made. In conversation with Mr. Finlayson on the 11th day of November, being Armistice Day, we met in the Y.M.C.A.—a very good place to meet—in Orillia, and going up the stairs, I do not know how it was, we came together. I went up the steps side by side with Mr. Finlayson and I said to him, "What is all this nonsense that is going on down around the Department of the Attorney-General regarding my being asked to resign?" I said, "It has been whispered to me that such is the case." Mr. Finlayson in reply said, "Oh, they are trying to put in a system of economy." "Well," I said, I remember, "why do not you start with some of the bigger and higher paid officials?" I am pretty sure that is what I said. However, when we got upstairs he and I were in conversation and—

HON. MR. MACAULAY: Q. But you did not mention that, Mr. McCaughrin, your statement made in the paper—you say that Mr. Finlayson called you out of the room—you did not say anything about meeting him going up the stairs.

THE CHAIRMAN: I would suggest, Mr. Macaulay, that we allow Mr. McCaughrin to make his statement and you can cross-examine.

THE WITNESS: Well, Mr. Finlayson said to me—to this I took the oath—he said, “I think I can get you \$3,000.” “Oh,” I said, as I recall it, “that is no use to me.” He never told me what for or whether or where the \$3,000 was coming from and I presumed that, owing to these whispers, that I was going to receive \$3,000.

Q. For what?

A. God only knows, I don’t. However, that was all right. Nothing more was said. So he said, “I will write you.” I received a letter from Mr. Finlayson—

HON. MR. MACAULAY: Q. This is all before you went upstairs and got into the room?

A. No, the \$3,000 started to accumulate upstairs.

Q. In the room with other people present?

A. No, no person was there, we were alone.

Q. You jumped from the stairs inside without telling us how you got there?

A. Well, coming up the stairway I made this remark to Mr. Finlayson, “What is all this noise about?” and we went on into the—

Q. Into the room, I see.

A. And then I retired to the corridor outside, this was upstairs. Now, he said—may I repeat—he said, “I think I can get you \$3,000.” It looked a big amount but it had not any effect whatever on myself other than that I made a remark, “Oh, no, I would want \$4,000.” I said that jokingly.

Q. Was not enough?

A. Enough?

THE CHAIRMAN: Q. What did you want \$4,000 for?

A. I do not know yet.

Q. What did you think Mr. Finlayson was referring to.

A. It began to dawn upon me that it might be some remuneration.

Q. For what?

A. I do not know, for the small salary I suppose I had been receiving and pretty hard to live on a small salary in a town like Orillia. However, that will develop. He said, “I will write you,” and in a few days he did write me saying, “I have made some progress.” I presume as regards—

HON. MR. MACAULAY: Q. How long were you talking on this occasion out in the corridor?

A. Few minutes, very few, and also coming upstairs.

THE CHAIRMAN: Q. Have you the letter he wrote you?

A. Should be here.

MR. MURPHY: Better to let the witness tell his story.

THE CHAIRMAN: I just wanted to identify it with the exhibits.

THE WITNESS: This letter is here somewhere.

Q. Is that the 11th of November letter?

A. However, I received this letter, as I said, from Mr. Finlayson that "I have made some progress." Subsequently on the 25th day of November, Mr. Gover and myself, being on the Executive of the Magistrates Association of the Province of Ontario, and I suppose it takes some brains to be eligible to be on that Commission—

MR. MORRISON: Q. It is elected, is it not?

A. No, it is appointed, all these positions are appointed.

MR. MURPHY: Q. Mr. Humphries did not appoint you?

A. The Attorney-General by an Order-in-Council appointed me.

MR. MORRISON: It is elected.

HON. MR. MACAULAY: Q. Are you talking about your job as Magistrate or your Office in the Magistrates Association?

A. The Association.

Q. Mr. Humphries had nothing to do with the Association—

MR. MORRISON: Neither had the Attorney-General anything to do with it.

THE WITNESS: I think they have in some way something to do.

HON MR. MACAULAY: Q. In what way?

A. In an advisory way. So then what happened? There was an understanding somehow that Mr. Finlayson and Mr. Gover and myself would appear in Toronto in the City Hall to go over some details regarding the Magistrates Association, of which he was the Secretary and I was the Organizer. Now,—

THE CHAIRMAN: Q. Just before you get along, so that we may know exactly, you referred a moment ago to a letter of Finlayson to you?

A. Yes.

Q. Was that letter of November 18th, 1933, in which he says:

"I duly received your letter of the 13th inst.

"I have discussed the matter since and have made a little progress and hope it will be possible to come to some understanding.

"I note that both you and Mr. Gover will be in the city on the 25th of November. Perhaps you could both arrange to come to the office that day so that we could have a full discussion of the matter and see if we could arrange any understanding. Perhaps you could come in early that day, or in the afternoon, and we could go into the situation fully.

"You will, of course, treat this as being absolutely confidential."

A. That is the letter.

Q. All right, go ahead.

A. After the meeting in the City Hall was over we went up to the Parliament Buildings to meet Mr. Finlayson. I was there first and I waited for Mr. Finlayson to arrive which was a few minutes afterwards, and then Mr. Gover, and it was there that I got the shock of my life, in this respect: Mr. Finlayson evidently dropped all reference to the \$3,000 that he thought he could get and said to Mr. Gover and myself: "You fellows get together and come to some arrangement." Mr. Gover said, "I can give you \$1,500," and I said "nothing doing."

HON. MR. MACAULAY: Q. Not enough?

A. I was leading on, I was not serious, I could have said "No," but I did not. I wanted to draw some more fire. Well then, Gover says, "I will give you \$2,000." I made some remark, I do not know what it was but it was not accepting it anyway, and then without further ado Mr. Finlayson took one end of the table, Gover the opposite and I took the side and Mr. Finlayson in his eloquent phraseology and technical skill dictated the terms of the bargain. That is the God's truth, every word of it. That is the Irish way of putting it. So I think there was some reference made later on in the procedure about my being a poor writer. Well, I can write my name, it can be easily deciphered. Nobody has ever written back saying, "What is your name?" However, Mr. Gover took that down, not in type as *The Globe* says, Mr. Gover wrote it, this Agreement and this Agreement covered the terms of payments which were at different times different amounts. Now, remember, do not forget this—you will pardon me, Mr. McCrea.

THE CHAIRMAN: Yes, we want to hear your full story.

THE WITNESS: Do not forget this: Mr. Finlayson distinctly and absolutely



said, "You fellows get together and come to some conclusion." That was the moment that I decided in my own mind that Mr. Finlayson was dropping all responsibility of the Government and putting it on to Mr. Gover, who was going to buy my position. So after Mr. Gover had signed this agreement I never read it over, he did not ask me to sign it, but I observed this: That I won't have anything to do with this proposition unless Attorney-General Colonel Price has looked it over, and I was firmly of the belief and the conviction that Colonel Price would not endorse and put through an Order-in-Council covering a deal of that sordid nature. I could not think—

Q. You mean by "that sordid nature," the paying of some remuneration to you?

A. Buying it, and if the Criminal Code means anything, and I have been accused of being unable to translate the Criminal Code, if it means anything, Sections 162 and 163, particularly 162, covers that case. It comes under buying office, which my early training taught me to abhor, and to shun anything which would degrade my citizenship of this beautiful province. I never forgot that lesson. Well, all right, Mr. Finlayson said, "I will take this up with the Attorney-General and I will get everything fixed and you will get your copy of the Agreement." I have asked three or four times for that copy, and I never got it. I do not know where it is to-day. I have not any conception where that is to-day. Now,—

THE CHAIRMAN: Q. What was in the Agreement, do you know?

A. Oh, well, that Mr. Gover would pay myself \$2,000 with the understanding, of course, that I would vacate the position.

HON. MR. MACAULAY: Q. You have forgotten something—did you sign anything while you were there that day?

A. No. Yes. Now, just a minute. Regarding the resignation, when this other article was completed, that is the buying, then Mr. Finlayson handed me a slip and asked me to put in my resignation. I turned over the slip to Mr. Gover who wrote out the resignation, and here again—

Q. And you signed it?

A. Yes, I signed it but conditionally—the conditions were that this would go before Mr. Price and get his endorsation.

Q. The fact is that was written on the statement "Subject to the Attorney-General's approval"?

A. I cannot recall that.

Q. It was said anyway, whether written or not?

A. I said it myself.

Q. And Mr. Finlayson said it?

A. He said he would take the resignation and also this agreement to the Attorney-General and I would be advised. Well, all right—

Q. What was the date of the resignation—what date did you put on it?

A. I cannot recall; it will be in here some place. There were so many dates going at the time—

Q. That is quite a fact, surely you can remember the date you put on your resignation?

A. No. It was the date that the agreement was formulated.

Q. The same day?

A. The same day exactly.

Q. Are you sure of that?

A. You refer to the resignation? It was done within two minutes after the completion of the bargain.

THE CHAIRMAN: That was the day you were down at the Magistrates meeting?

A. On the 25th of November.

Q. Is that Saturday afternoon, do you remember?

A. Yes.

Q. Saturday afternoon, 25th of November?

A. Yes, sir.

Q. That was the day the resignation was signed?

A. The 25th of November, yes, I recall it by being this important meeting of the Executive of the Magistrates of Ontario. When I went home that night, "Oh," I said, "this is the most shocking proposition that ever was offered to me in my life," and I wrote a letter, pretty strong, to Mr. Price, dated the 2nd day of December.

HON. MR. MACAULAY: Q. That was week after you had been down.

THE CHAIRMAN: Q. You got home that night, which was the 25th, Saturday, the 25th of November?

A. Yes.

Q. And that night you thought this was a very shocking affair, as you put

it, and you wrote to Mr. Price. Now, what was the date of the letter that you wrote to Mr. Price?

A. I am looking it up now. It will be amongst those.

HON. MR. MACAULAY: Q. Let us have the date?

A. The 2nd day of December.

Q. So that you did not write it the day after you got home?

A. No.

Q. It took a week to work that out.

THE CHAIRMAN: Where is that letter? Has anybody a copy of that letter to Mr. Price of 2nd December?

HON. MR. MACAULAY: Exhibit 5.

THE WITNESS: What is the date of my letter?

HON. MR. MACAULAY: Your letter to Mr. Finlayson of December 2nd—

THE CHAIRMAN: No, he said Mr. Price. Did you mean Mr. Price?

A. It is the same trip. I kept a copy, I wrote Mr. Price, sent him a copy and Mr. Finlayson also a copy. You say that was five days afterwards?

HON. MR. MACAULAY: Q. You can count them for yourself, November 25th to December 2nd—how many days is that?

A. I am not very good at subtraction under these conversations. The 2nd day of December, and when do you say this letter was written?

THE CHAIRMAN: The letter is dated 2nd of December addressed to Colonel the Hon. Wm. Finlayson—now, you say that was made out in triplicate?

A. One copy was to go to Mr. Price and I kept— Now, what date was that?

Q. 2nd December?

A. And 25th of November, that is seven days.

Q. Six full days after the night you got home and then there were two more days beyond that, 8 days.

A. Even if it were two weeks, what about it?

HON. MR. MACAULAY: Q. You said the next day?

A. When did I say that?

Q. A moment ago you said you realized the night you got home it was a shocking thing, the worst shock you ever got in your life?

A. Yes.

Q. But it took you eight days to fully feel the repercussions of the shock?

A. Well, it got worse each day as a guilty conscience will.

Q. It did not get to the writing point until the 2nd of December?

A. No, that is when it reached the climax. What did I say in this letter?

THE CHAIRMAN: Perhaps we had better read the letter. Will I read it to you?

A. Yes.

HON. MR. MACAULAY: Let us have the original letter.

THE CHAIRMAN: I have not the original but I have a copy.

"These last few days I have been thinking very seriously as to that arrangement you dictated to Howard Gover in your Office, Parliament Buildings, Toronto, 25th November, as regards Magistrate Gover paying me \$2,000.00 in consideration of my resigning my position of Magistrate for Town of Orillia and District.

"You remember telling me upstairs in the Y.M.C.A. Building on Armistice Day in Orillia you thought you could arrange \$3,000.00 for my giving up my position as Magistrate here.

"May I now advise you I can truthfully say I have never received money or anything that I have not honestly earned nor have I ever violated the principles of my citizenship of the Province of Ontario politically or otherwise; in consequence I have decided I cannot conscientiously accept the \$2,000.00 offered me by Magistrate Gover and vacate my position as Police Magistrate of the Town of Orillia and District.

"I wish to retain my appointment here as Magistrate at least until April, 1935.

"Please return my application resigning my position as Police Magistrate here and District and consider the same as withdrawn and a copy of the arrangement as to the payment of the \$2,000.00."

It is not signed but I suppose D. McCaughrin?

A. Yes.

HON. MR. MACAULAY: Q. Nothing in that letter about shocking transaction.



A. There is not.

Q. No.

A. Well, what would you call shocking? Would you quote something that would apply in shocking manner?

Q. I do not know what would shock you in one day—it took eight days to shock you in this?

A. As I say, the shock grew worse.

MR. MURPHY: Q. Harry Johnston applied the shock absorber?

A. Harry Johnston had nothing to do with the shock other than what I am about to tell you.

THE CHAIRMAN: Go ahead.

THE WITNESS: Now, when Mr. Colonel Finlayson received this letter he called me by 'phone the next day, I do not know what day it was, but it was the next day and he appeared very very disconcerted, very angry, and he said "What in the hell do you mean now?"

MR. MORRISON: He was shocked too.

MR. SEGUIN: Did not take him eight days to get shocked.

THE WITNESS: However, he said to me, "Would you like to meet the Attorney-General?" and I said, "I would be delighted," because I was terribly deceived in the Attorney-General in attempting to put through an Order-in-Council ruling me out of the office and Mr. Gover in. It did not seem right and I was disappointed in him because he and I, I always considered we are always very good friends and I did not think he would do an underhand trick like that. That is what I made up my mind to at that time. However, Mr. Price—did I say, did I quote in my letter to Colonel Price or Colonel Finlayson?

HON. MR. MACAULAY: I do not know what you are doing, you will have to tell us what you are doing?

A. Well, you asked me.

Q. No, you are making your statement.

THE CHAIRMAN: You are saying after Mr. Finlayson received your letter he called you up on the 'phone next morning and asked you what was the matter now?

A. No, I retract that. My letter of the 2nd of December was written to Mr. Price with a copy to Mr. Finlayson.

Q. Well, perhaps you had better be advised as to that. Here is your letter.

I want to keep you straight. This is addressed to the Honourable Mr. Finlayson. I think you said you made it in triplicate and sent copy to Mr. Price, although not addressed to him, and to Mr. Finlayson and kept a copy for yourself?

A. Yes.

Q. And this letter you are now looking at, No. 4, of Exhibit 5, is the copy you retained of that letter addressed to the Honourable Mr. Finlayson?

A. Yes.

Q. That is dated the 2nd of December?

A. Well, you are very very fair in this and I appreciate it. This letter, the original, was sent to Mr. Finlayson, I mean to—Yes, and copy to Mr. Price, and wait till I just see what this reads.

Q. That is one I just read to you a minute ago.

A. Well, it was the occasion of Mr. Price receiving a copy of this letter to Mr. Finlayson. That was the occasion. It was Mr. Price who called me in. I just got a little mixed as to the occasion but it was Mr. Price first called—

Q. Not Mr. Finlayson?

A. No. Well, Mr. Finlayson—

Q. You told us a moment ago that after Mr. Finlayson got this letter of December 2nd he called you on the phone and said to you, "What the hell is the matter with you now?"

A. No.

HON. MR. MACAULAY: That cannot be right when the letter was addressed to Mr. Price.

THE CHAIRMAN: No, it is not addressed to Mr. Price.

HON. MR. MACAULAY: He says now it was Mr. Price called him.

THE WITNESS: There is another letter here to Mr. Price.

THE CHAIRMAN: Q. You wrote a letter to Mr. Price on the 8th of November?

A. However, here is what this means: On the 2nd day of December a letter was written to Mr. Finlayson and Mr. Price and I kept a copy. We have that.

Q. You mean by that, that copy of letter to Mr. Finlayson was sent to Mr. Price?

A. Yes, copy of letter.

HON. MR. MACAULAY: Q. Then do you want to still say that Mr. Finlayson called you up and said, "What the hell do you mean?" or is that some other, something that you have got misplaced in your memory?

A. No, it was Mr. Finlayson said that to me and asked me if I would like to meet Mr. Price, and I said, "I would very much appreciate an interview with Mr. Price."

Q. Then what happened next?

A. Then following that—there is a confusion here somewhere, just give me a moment and I will unravel it. Yes, on the 2nd of December I wrote Mr. Finlayson.

HON. MR. MACAULAY: That is the same one you have been talking about for five minutes.

THE WITNESS: Well, all right, "These last few days I have been thinking very seriously." This is the letter written to Mr. Finlayson and dated the 2nd day of December.

Q. That is the same one you are talking about?

A. Yes, the same one. "These last few days I have been thinking very seriously as to that arrangement you dictated to Howard Gover in your office, Parliament Buildings, Toronto, 25th November, as regards Magistrate Gover paying me \$2,000 in consideration of my resigning my position of Magistrate for Town of Orillia and Districts.

"You remember telling me upstairs in the Y.M.C.A. Building on Armistice Day in Orillia you thought you could arrange \$3,000 for my giving up my position as Magistrate here.

"May I now advise you I can truthfully say I have never received money—"

This is the one that you read, Mr. McCrea. Now, as regards that, here is observation I wish to make on that—just forget the other for the moment.

Q. What other?

A. This 2nd of December.

Q. That is what you are talking about there, 2nd December, is the date of that?

A. No, but as I referred to before—

Q. You mean you want to retract what you said about that conversation with Mr. Finlayson—was it Colonel Price that called you up on the telephone and not Mr. Finlayson?

A. Mr. Finlayson called me and wanted to know, as I said before, "What the hell is wrong with you now?" and he said—

Q. Go on further—you have given it two or three times.

A. It may be very laughable but I have got the details here anyway.

Q. Well, get on with them?

A. So in the third paragraph of your letter to me of December 12th you say "That there might be certain things that we could ask you to do," etc.

Q. You are quoting from letter of December 14th now. I thought you were quoting from letter of December 2nd.

THE CHAIRMAN: Well, we will let him make out his case.

THE WITNESS: Well, regardless of the dates I wrote to Mr. Finlayson, start all over again, I wrote to Mr. Finlayson and told him—

HON. MR. MACAULAY: Q. What date?

A. Well, I will have to look that date up. I wrote to Mr. Finlayson the letter might be here. (Witness looks through papers.) Now, this is it, on the 2nd of December to both Mr. Finlayson and Mr. Price that I had considered the situation very seriously and demanding that my resignation be withdrawn and send me the contract covering the purchase money of the \$2,000. To this letter Mr. Finlayson called me on the phone and was very angry.

Q. Now, what are you reading from?

A. The letter dated—

Q. No, you are reading from those fugitive conversations there. You must not read from that, tell us without reference to *The Globe* what you did?

A. Well, all right, on the end of December I wrote to Mr. Finlayson and a copy to Colonel Price.

Q. Yes, that is the fourth time you have told us that.

A. Well, what about it if it should be the tenth? I am simply reiterating. Now—

Q. No, I want you—

A. You cannot confuse me.

Q. I want you to give your own evidence.

A. You would like to, would you not?



THE CHAIRMAN: We suggest that you go ahead and tell your story.

THE WITNESS: And Mr. Finlayson further said, "I am through with this affair, I won't have anything more to do with it and would you like to see Mr. Price?" and I said, "Yes, all right." Mr. Price called me on the telephone and asked me to come in and talk the matter over, which I did. When I went in he was very angry also.

Q. Now, you are reading from *The Globe*.

A. I am not reading from anything, I am just looking down this material.

Q. All right, go ahead?

A. I went down to see Mr. Price. When I went in there—

Q. What would be the date of that?

A. I am not sure but one of the letters will be here.

MR. MURPHY: Q. What year was it?

A. Oh, you just woke up, Mr. Murphy.

Q. You put me to sleep so long, it is pretty hard to keep awake.

A. However, Mr. Price seemed very displeased at this letter. He seemed very very displeased, and that letter would be a copy of that. Now, he said, "This letter would be very damaging to our Department," because I used some very drastic language in the letter to Mr. Price. He said, "This letter would be very damning—" would you like what Mr. Price said to me?

Q. Yes, if you can remember?

A. Well, my memory is just beginning to waken up a little. Well, Mr. Price said to me, "I want you to destroy that letter and I will destroy my copy and I will ask Mr. Finlayson to destroy his." That is what he said on that occasion. Well, of course, I did not destroy my letter.

Q. What did you say to that?

A. I said I would consider it or something like that. I made no promise. How does that sound from a Minister of Ontario, the Minister in charge of the Legal Department? However, he said he would think the matter over and he would advise me. I received a letter from him saying that they had considered the situation and would advise me that Mr. Humphries advised that Gover be appointed and that I be relieved of my position. Would you like me to quote the conversation with Mr. Bayly? It is quite significant.

THE CHAIRMAN: You mean Mr. Bayly who has recently died?

A. The Deputy Attorney-General for Ontario.

Q. Has it any bearing on your resignation?

A. It has.

MR. HEIGHINGTON: It is not admissible in evidence.

HON. MR. MACAULAY: Remember, he is dead, and he is not here to give evidence for himself.

THE WITNESS: I know, and he cannot be cross-examined or anything else, but it was a very unfortunate conversation and very significant because it is going to help to clear up what you have been trying all morning to—

MR. HEIGHINGTON: I do not know where we will ever get but if we start allowing conversation of that kind we will get nowhere. I think we had better adhere to the ordinary rules of evidence.

THE CHAIRMAN: Unless we have some corroboration.

MR. MURPHY: He said that Mr. Bayly confused him.

THE WITNESS: I did not say that Mr. Bayly confused me.

MR. MURPHY: I do not think you know what you are talking about.

THE WITNESS: Now, if you will permit me, and it is very significant—

THE CHAIRMAN: Well, the question has been raised in the absence of Mr. Bayly, who cannot be here of course, that it won't be evidence, and there is no way of contradicting, I think the rule, unless you have some corroboration apart from your statement of what he said. I do not think it should be allowed, unless the Committee directs me otherwise.

A. It came out in the Press, Mr. McCrea, it came out in the Press that Mr. Bayly made the statement.

MR. HEIGHINGTON: Well, I object to this.

THE WITNESS: That I promised to advise him that night of a certain proposition and he says he has not done it. Now, that leads up to a very important item in this examination. I am prepared to take an affidavit to it.

THE CHAIRMAN: Mr. Bayly, you say, was expecting some information concerning settlement of your deal?

A. Yes, bears directly on the—

Q. Were you enquiring as to whether the Attorney-General had approved?

A. No.

Q. Is that why you went to see Mr. Bayly?

A. I did not go to see him voluntarily, it was on his request.

Q. Oh, he sent for you?

A. Oh, yes.

Q. And you say told you that he had not had approval of the agreement yet?

A. Well, if you will just give me a couple of minutes I will tell you actually what happened.

Q. Was he referring to your position as magistrate?

A. Yes.

HON. MR. MACAULAY: Mr. Chairman, there is no writing apparently, no memorandum. Unless there is something to corroborate what he says Mr. Bayly said I do not think we can receive that.

THE CHAIRMAN: What is the view of the Committee? Some voices were heard, "Let us hear it."

MR. HEIGHINGTON: I think we should exclude it. You would never get any conclusion to evidence of that kind.

THE CHAIRMAN: We have all powers of court and it is kind of evidence that you could not receive under same circumstances.

THE WITNESS: I would like to explain this matter to the court because you may consider it of vital importance to some controversies which took place this forenoon.

MR. HEIGHINGTON: In addition to the point that I have made, there is another feature to it—the statement which comes out may not do entire justice to a very distinguished loved official of this Province. Should we allow ourselves to be led astray in a conversation in which perhaps we never reach any results? While I do not want to press the point, I do not think the Committee—

THE CHAIRMAN: This is the first time that Mr. Bayly's name, as far as I am concerned, has been brought into the question and the usual rule under circumstances of this sort, unless there is some corroborative evidence, it should not be allowed.

MR. HEIGHINGTON: I, with all respect, say, that Declaration of deceased public official in the course of his duties can in no sense be received. It is only Declaration made by man affected.

THE CHAIRMAN: I do not think myself, as much as I would like to give Mr. McCaughrin every chance, I do not think the evidence is evidence which should be received under the circumstances.

THE WITNESS: Well then, you do not wish, Mr. Chairman, to have a certain phase of great importance as to my possession of this paper?

Q. Certain phase as to your possession of this paper?

A. Yes.

Q. You can tell us what you said to Mr. Bayly if you like to give—

A. I asked Mr. Bayly. I went into the office and he said to me, "What can I do for you?" I said, "Mr. Bayly, I am here on your invitation, what can you do for me?" That is what I said to him. Well, we discussed the matter for three hours, pro and con. However, he said to me, "I can allow you—at least I am commissioned to allow you to remain on the position for six months, and this contract will be returned to you,"—that is, the \$2,000 contract,—“will be returned to you, and your resignation will be also returned to you.” Oh, I said, "Mr. Bayly, I want nine months instead of six." "Well," he said, "I cannot promise you definitely." Well, I said, "I will go home and consider the nine months." "I think I can promise you the other," that is the six, "the bargain and the return of the resignation." Well, there was nothing definite but Mr. Bayly, I concluded, had the idea that I had this declaration in my pocket. I did not have it, I did not have a scrap of paper about me except my card case and watch. That is what I told him.

Q. What you were discussing was your office and the resignation?

A. Yes, just exactly, and we came to no conclusion, and Mr. Bayly was very gentlemanly, very nice, no reflections whatever, and I took leave of him and I went to where this declaration was with all the papers, letters, I went there and Mr. Harry Johnston—I told Mr. Harry Johnston that he had my permission to release what papers and declaration he had.

Q. The declaration was in existence at that time?

A. Absolutely.

Q. In Mr. Johnston's possession?

A. Well, in the safe of *The Globe* office.

Q. So that they had to get your O.K. to release the paper before they would publish them?

A. Oh, absolutely.

Q. And after you had your conversation with Mr. Bayly you gave them the O.K. to release them?

A. Yes, sir.

Q. And that is why the publication came?



A. Yes, because I concluded I was not going to get a fair deal from the Attorney-General's Department.

MR. MURPHY: Q. When did you give them to Mr. Johnston and Mr.—

A. What is that?

Q. When did you give them to Mr. Johnston?

A. The night of this conversation which took place in the afternoon, with Mr. Bayly.

Q. No, when did you give them to Mr. Johnston? You told him that he had your permission to release the papers. You must have given them to him some time prior?

THE CHAIRMAN: He says he did.

HON. MR. MACAULAY: Q. When you were in Mr. Bayly's office you did not have this declaration with you?

A. No.

Q. Where was it at that moment?

A. It was in the safe of *The Globe* office.

Q. When had you given it to *The Globe*, how many days prior to that?

A. That forenoon.

Q. The forenoon before you went to Mr. Bayly's office you had gone to *The Globe*?

A. Sure I did, because I wanted to fortify myself with this if I did not get a fair deal with the Attorney-General's office, I would go back and let the public know exactly what occurred, and it did come with a crash.

MR. STRICKLAND: Q. Did you tell Mr. Bayly you were holding this over his head as a club?

A. No, I did not and he never asked me; he was too much of a gentleman.

HON. MR. MACAULAY: Q. Who went with you to *The Globe* office?

A. Mr. Harry Johnston who is Secretary for the Liberal Association, I believe; I did not know the man at all, never saw him before.

Q. Until when?

A. Until the night before.

MR. HEIGHINGTON: Q. Who put you in touch with Mr. Harry Johnston?

HON. MR. MACAULAY: Q. You met Harry Johnston the night before that you came down to see Mr. Bayly?

A. Yes, sir.

Q. Where did you meet him?

A. In Mr. George McLean's office, Orillia.

Q. That is the night that the Declaration was drawn up?

A. I gave the details and left it with Harry Johnston to make up the contents of that.

THE CHAIRMAN: Is this what you did: Mr. Johnston got the affidavit which Harry McLean had prepared and then you came back to Toronto; who came with you?

A. With Harry Johnston.

Q. Harry Johnston came to Toronto?

A. Yes, sir.

Q. Who took the affidavit in the first place to the office of *The Globe*, you or Harry Johnston?

A. No person.

Q. How did it get there?

A. Well, I brought it down and left it with Harry Johnston and I went up to see Mr. Bayly.

Q. How do you know that it was in *The Globe* office when you left Bayly's office?

A. Because I went in with Harry Johnston to *The Globe* office.

Q. In the morning?

A. Before I went up that morning.

Q. Who did you see there at *The Globe* office?

A. The only one I can recall was the Manager, the Business Manager of *The Globe* who is ill now.

Q. Is that Harry Anderson?

A. Anderson, he was there and—

Q. And did you tell him the story about the job?

A. No. Oh, yes, in a way. Harry Johnston read that Declaration and I checked over with him.

Q. And did you say to them, "Now, hold these because I am going up to the Attorney-General"?

A. Absolutely.

Q. "—to see if I can get this straightened out to my satisfaction and if I cannot I will let you know and if I tell you to publish then you will publish"?

A. Yes.

Q. So when you could not bend the Attorney-General's Department to your will you gave word that this publication must take place?

A. I went back and told them.

Q. Who did you see when you left Mr. Bayly's office first—Mr. Johnston?

A. Yes.

Q. And you and Mr. Johnston went to *The Globe*

A. Yes.

Q. Who did you take with you, if anybody?

A. No person.

Q. Who did you take with you, if anybody?

Q. Mr. McIntosh said this morning that a Mr. Roebuck was with you and Mr. Johnston at *The Globe* office?

A. No, what happened, Mr. Roebuck came in during this checking over with Mr. Anderson of the Declaration but I did not have any conversation with him, he only remained a short time and went out.

Q. That was the time that Mr. McIntosh came in to see Mr. Anderson that he told us about here this morning?

A. That is the time.

Q. How long after you told him to release the documents until the publication of them?

A. The next morning, Ontario was astonished.

Q. Astounded—

MR. MURPHY: Q. Was Mr. Johnston the man that went to Mr. Bingham's office with you the night the affidavit was sworn?

A. I do not know whether I should say so or not.

THE CHAIRMAN: You could tell us that if you know it.

THE WITNESS: Yes.

MR. HEIGHINGTON: Q. Why was not this affidavit drawn by your own personal solicitor?

A. Now, just a minute, in answer to Mr. Murphy. Mr. Harry Johnston went to Mr. Bingham's office with me and to this day I do not think Bingham would know if he met him on the street, only there a few minutes, I did not introduce him.

Q. Johnston had prepared this affidavit for you and you went up to Bingham's office to be sworn?

A. Yes.

Q. There is one part of it that was rubbed out, did you suggest that that be changed?

A. Well, some person mentioned, there was something about deletion of some words.

Q. In the fifth paragraph there is rubbed out and something has been typed in—do you know what was suggested that brought about that change at the end of the second line "I did not"?

A. "I did not sign the same or even," I initialled it there and I cannot recall.

Q. Why was the change made?

A. I do not know.

Q. Was it done on your suggestion?

A. I do not know.

Q. The change.

A. I do not know. All I know is that those are my initials and there must have been some change then.

Q. Did you read that over before you signed it?

A. It was read to me and I—



Q. Who read it to you?

A. Harry Johnston, and I might just say here that Johnston was not very enthusiastic about taking possession of those papers. He had no interest whatever as far as I could see.

Q. Who put him on to you, how did you get in touch with him?

A. I went to George McLean and asked him, said to him, "I am going to Toronto to-morrow—"

Q. What did you ask him for—trouble-maker or what?

A. Trouble-maker?

Q. Yes?

A. That is my own—

Q. What did you ask Mr. McLean for?

A. For information.

Q. About what?

A. To find out to whom I could communicate this statement.

Q. How you could get your resignation back, in other words?

A. My resignation?

Q. Yes?

A. No. Mr. McLean, Captain George McLean—

Q. What did Mr. Johnston promise you if you took this affidavit?

A. Promise me?

Q. Yes?

A. It would have been a mortal insult to me if he had promised me anything, absolutely.

Q. Did he promise you that if the Liberal Party got in, of which he was the organizer, that you would be appointed permanently in Parliament of 1935, did he tell you that—yes or no?

A. I will answer you by asking you a question.

Q. No, I cannot answer questions. Did Harry Johnston promise you that if the Liberal Party got into power that they would appoint you permanently?

A. Absolutely not, and I never spoke to a Liberal since about it regarding any appointment.

Q. Did you hope for one, did you hope that you might get in again?

A. Well, I would be a darn fool if I did not take a good job if it was offered me, and so would you, Mr. Murphy.

MR. MURPHY: Do not drag me into foolish things.

MR. HEIGHINGTON: Q. May I ask if the witness will tell us why he did not require this Statutory Declaration to be drawn by his own solicitor, Mr. Harvie?

A. Because Mr. Harvie was at least 250 miles away from Orillia on that day and I could not reach him and he could not accomplish the deed.

Q. You had consulted Mr. Harvie about the matter, had you not—he said you had this morning?

A. That is my proper counsel, I went to him.

Q. It was not as a result of his advice that you made this affidavit, was it?

A. Of his advice?

Q. Yes?

A. Absolutely not.

MR. BAIRD: Q. After this long and very friendly interview you had with Mr. Bayly there seems to have been a difference of three months between you, you wanted an extension to nine months, and he thought he could get you six?

A. Yes, sir.

Q. Now, the matter had not been settled when you left his office. Why did you not wait until Mr. Bayly had told you whether his efforts were to be successful or not?

A. A very good reason and the reason is this: He said to me, "I cannot promise you anything but I will do what I can." I was not taking any chances on what would offer—

HON. MR. MACAULAY: Q. But you were asking for nine months?

A. Yes, sir.

Q. If he had settled with you for nine months right then that would have been an end of it, would it not?

A. Most likely.

MR. MORRISON: There is one question: You stated that Mr. Bayly thought you had the Declaration in your pocket while talking about it?

A. Yes.

Q. What led you to think that?

A. I do not know.

Q. No one knew anything about this Declaration at that time, did they, except Harry Johnston and Mr. McLean?

A. That is all.

Q. What made you think that Mr. Bayly knew or thought that you had that Declaration in your pocket, where you say you did not have a scrap of paper in your pockets?

A. Yes, that the Declaration was down in *The Globe* office.

THE CHAIRMAN: He might have had a carbon copy.

MR. MORRISON: Q. I am asking how Mr. Bayly suspected that declaration was in his pocket when Mr. Bayly knew nothing about Declaration in any manner, shape or form at that time—did you tell him?

A. There was some correspondence in some Toronto Press that he was asked something about and he said, Mr. Bayly said, I think he said, "I double-crossed him."

Q. Well, looks like that?

A. How?

Q. Well, when you left his office and he saying that he could give you extension of six months and you wanted nine months, and he said, "I cannot promise you nine months but I will see what I can do about it," and after you left his office with that intention, without saying anything to him in any manner, shape or form that you would not take it, you would not consider it and negotiations were ended and you went down to *The Globe* office and handed this out?

A. Yes.

Q. Would you not call that double-crossing of Mr. Bayly?

A. Not after the way he used me.

Q. Well, of course—

MR. MURPHY: If he don't know what it means—

THE WITNESS: No, I do not want any graft or pay or anything else. I went there simply for the benefit of the public's good.

MR. MURPHY: No such nonsense, it was for yourself.

THE WITNESS: No, it was not for myself and I challenge you to prove it, you would do the same.

MR. MORRISON: Q. You say it was for the public good and yet you said just a minute ago to Mr. Macaulay that if it had been nine months, if he had given the nine months you would have accepted and nothing would have happened, did not you? That is the answer you gave to Mr. Macaulay, is it not?

A. Well now, do not get too sure.

Q. I am absolutely sure you said that.

A. Do not get too sure.

Q. Did not you in answer to Mr. Macaulay say that he, Mr. Bayly, promised you six months, you wanted nine months and Mr. Macaulay said: "Well, if he had given you nine months the thing would have ended there?"

A. He said that he did not think he could give it.

Q. I am not saying that.

A. But he was saying what he could—

Q. Did not you say to Mr. Macaulay that if he had said, "Yes, I will give you nine months, nothing more would have been said?"

A. No, I did not say that but I said what fool would not—

Q. Now, you said "Yes."

THE CHAIRMAN: It is all down in the evidence. I think what was said was that had the nine months been arranged there would likely be nothing more heard of it.

MR. MORRISON: Nothing more heard of it and Mr. McCaughrin said, "Yes."

Q. Now, why was it that you were doing it for the public good when you would have kept quiet if they had given you nine months, which you would not if they had given you six months—

THE CHAIRMAN: Well, that will be for the Committee.

MR. MORRISON: I want that one point cleared up. Q. Had you told Mr. Bayly you had made this Declaration?

A. He would have ordered me out of the room.



Q. I am asking you: Did you tell him that you had made this Declaration?

A. No.

Q. Then what led you to say that he thought you had the Declaration in your pocket and you did not have it?

A. Oh, I suppose, that is like a great many more of that political persuasion, they would presume.

Q. Well, how could he presume that you had Declaration in your pocket that he knew nothing about?

A. I am not a mind-reader, I cannot tell you.

Q. You were trying to read his mind; you were reading his mind. You said he thought that you had that Declaration in your pocket?

A. Oh, no.

THE CHAIRMAN: Well, have you anything further you would like to tell the Committee about this matter? You have covered the ground up to where you had conversation with Mr. Bayly and the publication of those articles in *The Globe* and the immediate reason for the release?

A. Nothing more than the fact that I firmly believe that this offer of \$2,000 as a bribe to get my position was very much in earnest as regards Mr. Gover. I firmly believe that and I was so shocked at it—we were good friends and I did not think that he would do that. If Mr. Gover had come to me and said, "Here, I will allow you six months further on, that will bring us up to the nice spring weather," I could go over to Orillia and I would step down and out and come down to live in God's own City, Toronto. I would have accepted him at his request. That was all I wanted.

Q. It was really a question of terms, if you could have got satisfactory terms from Mr. Gover?

A. But no money, absolutely not. If they had offered me \$10,000 at that time I would have absolutely refused it because I would never forget that stain on my manhood.

Q. Well, at this meeting at Mr. Finlayson's office there is not any doubt in your mind that \$2,000 was mentioned?

A. Mr. Finlayson's office?

Q. Yes?

A. Do you mean in the Y.M.C.A. Building?

Q. No, in his office?

A. \$1,500 was offered.

Q. And raised to \$2,000?

A. Yes.

Q. And after it was raised to \$2,000 and after the agreement was dictated, as you say, and written out by Mr. Gover and signed by Mr. Gover to pay \$2,000, then you signed your resignation of the Magistracy?

A. Yes.

Q. And the document that you signed and the document that Mr. Gover signed were left with Mr. Finlayson to have the approval of the Attorney-General's Department?

A. Yes, sir.

Q. Then you went back to Orillia and after you reached Orillia, according to the evidence of Mr. Harvie this morning, you went and had a chat with Mr. Harvie and discussed the proposition with him?

A. I am not quite sure about it but I think I did.

Q. And in your discussion with Mr. Harvie the question of \$3,000 instead of \$2,000 was discussed—that is—

A. That would have reference to the Y.M.C.A.

Q. That would have reference to the amount you were going to get when you stepped out of your office?

A. Oh, no, \$2,000 was the amount.

Q. Yes, but you thought it should have been \$3,000?

A. Oh, I made some remark that—"Oh, no, that is not enough," I may have mentioned \$3,000.

Q. You did not think \$2,000 was enough. Mr. Harvie also suggested this morning that in his opinion he was the person to suggest that this sort of deal was not the proper way of handling it, that it was improper for a deal of this kind to go through?

A. Immediately after the offer of \$2,000 I was shocked and stunned for such an attempt.

Q. Well, did the shock come after you signed your resignation or before?

A. Yes, after.

Q. No shock before?

A. Well, still I had an idea there was something, intuitively, looked to me as if it was.

Q. You did have a meeting with the Attorney-General, I think you said?

A. Yes, sir.

Q. And you told us some of the things that you say the Attorney-General said?

A. Yes, sir.

Q. Did you suggest to the Attorney-General that things might be all right if you got \$3,000 instead of \$2,000?

A. No, absolutely not.

HON. MR. MACAULAY: Q. When *The Star* interviewed you on December 26th, that is after Mr. Price had made his statement, saying that you had this document in your pocket when you went up to see Mr. Bayly, *The Star*—

A. I never said that.

Q. No, but *The Star* reports you on December 26th as saying as follows: "I never doublecrossed anyone in my life that I know of," he continued. "He says that all the time I was in Bayly's talking over the terms of my retirement that I had that affidavit in my pocket ready to give to the Liberals. That is not true,—"

A. Who said that?

Q. I am telling you what *The Star* said?

A. It is not true.

Q. I am telling you what *The Star* said you said?

A. Well, that is an untruth, I never said it.

Q. "That is not true, for I had no such thing. The affidavit wasn't even prepared then." Did you tell *The Star* that the affidavit was not prepared at the time that you were in Mr. Bayly's office?

A. No.

Q. Why would they print such a statement?

A. I do not know.

Q. Well, who was the reporter that saw you?

A. I don't know.

Q. Well, was it a telephone or a local reporter of *The Star* in Orillia?

A. It was not with anything that I know of.

Q. Just all grape-vine, was it? Did anybody from *The Star* interview you about this question?

A. No.

Q. Then they fabricated this interview?

A. I do not know where they got that but they did not get it from me.

Q. Surely you would not accuse them of fabricating the whole interview, do you?

A. You can put what construction you wish on it but I did not.

Q. You never interviewed *The Star* either on the telephone or through local correspondent?

A. I have too much abhorrence for publications of that nature.

MR. SEQUIN: Are you afraid of *The Star*?

HON. MR. MACAULAY: Q. Well, it was obvious that either you did not know what you were talking about or else that you were misreported?

A. Do you mean to say I was intoxicated?

Q. No, that word was not used. I say it is obvious—not intoxicated—it is obvious either that you gave them the wrong facts or else that they misinterpreted what you said, but you go further than that and say there was no interview at all?

A. Absolutely none on that question.

EXHIBIT 18: Copy of *Star*, December 26, 1933, Article on page 1.

THE WITNESS: Would you let me take a look at that?

THE CHAIRMAN: Yes, if he wants to have a look at it.

THE WITNESS: The Attorney-General did say that of course, no doubt about that.

MR. MACAULAY: What they say you said is what we are discussing now.

THE CHAIRMAN: He has made that quite clear.

HON. MR. MACAULAY: I want to go on to the item—Now, there are one



or two other matters we want to clear up. You say that you did not tell anybody or had no thought of any possibility of being reinstated in your position as magistrate there in case of a change of government. I hold in my hand a memorandum of a conversation that was said to have taken place between you and Mr. Church, Orillia's Chief of Police, in which he says that you told him after this order for your removal had been sent to you that you were not paying any attention to this order, you were not even going to move your office furniture out of your office, because you would be soon moving it back again later on anyway. Do you remember that conversation?

A. Ah, and I will tell you what that conversation meant. It meant that I expected to be cleared of everything they brought up against me, and I might be reinstated. Now—

Q. Reinstated by whom?

A. By the Conservative—

Q. By what Government?

A. The Conservative Party when they regained—

Q. After you printed that in the paper—after the general election you mean?

A. Now, no insinuations you mean, there is no general election that I thought of. I was not expecting anything, did not expect anything.

Q. Did you tell Mr. Church you were not going to move the furniture out of your office?

A. I do not recall that, I do not think that is so.

Q. Well, you had a conversation with him about it?

A. I had many conversations but not that. I do not think I said that because I was very careful not to make any comments whatever.

Q. But you did tell him you expected to be reinstated and that you would not be moving your furniture?

A. I do not think so.

Q. You told me yourself a minute ago that is why you said it to him?

A. Well, I cannot recall it, I may have said that to him and if I did that is what I meant, I was not expecting anything from the Liberals.

Q. That is not very positive evidence. You say you do not think you said it but if you did say it you said it because this was the reason for saying it. That is not very positive attitude?

A. That is a very plausible explanation.

Q. You should not use that word "plausible." Now, you had conversation with other people in Orillia along the same lines, did not you?

A. What did they say?

Q. Oh, they will speak for themselves when they come—that you were expecting to be retained in office?

A. I never said that to—I think I am pretty sure—I did not even say to Church because he is very communicative.

Q. And that is why you would not talk to him?

A. No, I would not talk to him—would you?

Q. I do not know him at all. Now, when you went in Mr. Finlayson's office there was a resignation signed by you. Have you got it there, Mr. Humphries?

MR. HUMPHRIES: It is in there.

HON. MR. MACAULAY: Q Is that the resignation you signed?

A. Yes.

Q. What is the date of it?

A. November 24th.

Q. And what was the date of your interview in Mr. Finlayson's office?

A. 25th.

Q. That must have been signed up in Orillia then the day before you got down here?

A. No.

Q. Why did you put that date on it?

A. I did not put that date there.

Q. Your signature is underneath it?

A. This is Mr. Gover's writing. I have never looked at the date.

Q. Oh, yes, you said you looked at the date awhile ago, you told me or Mr. McCrea, you looked at the date and the date of your resignation was the 25th day of November?

A. That is what it should have been.

THE CHAIRMAN: What he said was that the date of his resignation was the day he was in the office on the 25th November.

HON. MR. MACAULAY: Q. Was there any conversation as to why that resignation was dated the day before?

A. I do not know anything about it. I never looked at it very closely and I concluded that would be the same date, 25th.

EXHIBIT 19: Letter dated November 24th, 1933.

"I hereby tender my resignation of the office of Police Magistrate for the District and Town of Orillia, to become effective the thirty-first day of December, 1933."

Q. Is that memorandum that Mr. Gover signed on the 25th of November?

A. There is not any date to this?

Q. No, is that the memo that was signed?

A. Well, I took so very little interest in it that I cannot recall word for word but this I know was dictated by Mr. Finlayson, written down by Gover and signed by Gover.

Q. Well, that is document that was signed by Gover in your presence?

A. I believe so.

EXHIBIT 20: Memoranda signed by Howard Gover.

Q. Now, when you were in to see Colonel Price about December 6th, after you had written that letter, you say he asked you to destroy the letter?

A. He did.

THE CHAIRMAN: Perhaps or the benefit of this Committee I had better read this:

"Memorandum.

"Howard Gover of Coldwater,  
of the One Part, and

"Daniel McCaughrin of Orillia,  
of the other part.

"The party of the second part being about to resign the office of Police Magistrate of Orillia District, and it being desired to provide a retiring allowance, and there being no provision for such allowance, and it being

proposed to combine the Orillia and Coldwater Jurisdiction, then the Party of the First Part will provide a retiring allowance as follows:

"Seven Hundred and Fifty Dollars for 1934, payable quarterly in advance.

"Seven Hundred and Fifty Dollars for 1935, payable quarterly in advance; and

"Five Hundred Dollars for 1936, payable quarterly in advance.

"First payment on or before 1st January, 1934.

"Subject to approval of the Department of the Attorney-General, by whose officers the details are to be worked out.

"Dated 25th November, 1933.

"HOWARD GOVER."

And perhaps I should read the resignation that was signed at the same time so that you will have both documents before you:

"I hereby tender my resignation of the office of Police Magistrate for the District and Town of Orillia, to become effective the Thirty-first day of December, 1933."

THE WITNESS: But, Mr. McCrea, I withdrew—

THE CHAIRMAN: I know that, but I am just reading the documents signed this day, one by you and one by Mr. Gover?

A. Before any Order-in-Council was passed I withdrew.

HON. MR. MACAULAY: Q. You say you went into Colonel Price's office to see him?

A. Yes.

Q. Confident that he would do what was right, you had every confidence in his integrity and ability did not you, and, furthermore, you said he was an old friend?

A. That was why I—

Q. That is why you went in to see him?

A. That is why I reserved that part of the agreement, I would not have anything to do with that agreement unless it was assented to by Colonel Price and I had very much faith in his integrity, that I was shocked when I found out otherwise.



Q. You went in to see him because you knew he as an old friend would treat you fairly—that is right?

A. Yes, sir.

Q. And when you went in there you say he asked you to tear up your previous letter?

A. He did.

Q. Now, is it not the fact that you when you went in there expressed regret for that letter and asked him to take it off the files—he did not ask you to do it?

A. No, that is wrong.

Q. Well, we will have his story.

A. Well, that is wrong.

Q. I want you to think carefully before you answer these questions?

A. I know what I am saying.

Q. Was not your proposal to him what you had suggested to Mr. Gover and Mr. Finlayson, that your retiring allowance be fixed at \$3,000, not \$2,000?

A. No.

Q. Before you went out of that room did you not pat Colonel Price on the back and say, "Now, Colonel Price, you get me \$3,000 of a retiring allowance and everying will be fine?"

A. That is not so.

Q. That is not so?

A. No, it is not.

Q. Now then, so far as the Board of Strategy of the Liberal Party is concerned, the only ones that you met in the first instance were Mr. Roebuck and Mr. Johnston here in Toronto.

THE CHAIRMAN: I think it is only fair there to the Liberal Party and anybody else, the Board of Strategy has been mentioned a number of times, there has been no suggestion as to who the Board of Strategy was, and I was wondering if Mr. McCaughrin has anything in mind when you mention Board of Strategy?

HON. MR. MACAULAY: Well, he can tell us if he has anything in his mind.

THE CHAIRMAN: Q. Do you know any crowd in the Liberal Party called the Board of Strategy?

A. I do not know anything about the Liberal Party, as to their interior economy.

HON. MR. MACAULAY: Q. The only Liberals you met in Toronto on the question, put it this way, outside of those connected with newspaper, were Mr. Johnston, Mr. Harry Johnston and Mr. Arthur Roebuck?

A. I did not meet Mr. Roebuck on the question at all. He came in casually, made some observations, I do not know what it was, and went out.

Q. I mean whether you met him or not, you were in their company—Mr. Anderson and Mr. Roebuck were there?

A. Well, Anderson of course was there because he is the Business Manager of *The Globe* I learned, and Mr. Roebuck did not express no opinion or comment on the question at all, that I recall.

Q. No, but they sent out while you were there for Mr. Percy Parker?

A. Percy Parker?

Q. Yes?

A. Who is he?

Q. I don't know?

A. I don't know.

Q. You don't know him?

A. No.

Q. He was not there when any of these documents were being mulled over?

A. Not that I can recall.

Q. You have told us everybody that was there?

A. Did I mention Parker?

Q. No, you did not.

A. No, I did not.

Q. But thinking back, do you remember Mr. Percy Parker being around or not?

A. Cannot recall it.

Q. You do not remember?

A. I cannot recall it.

Q. Had you met Mr. Roebuck at Orillia when he was up at the Orillia meeting?

A. I was in my office that day and my office leads to the corridor going up to the Opera House. After their meeting was over I was on my way home and I went out into the corridor and some of the citizens of Orillia, Mr. Holmes said to me, "Would you like to meet Mr. Roebuck?" I said, "I would be quite pleased to meet him, as I have heard a great deal of him, I would like to have a look at him, see what he looks like," and while I only spoke two or three words to him, Mr. Roebuck came along and I was introduced to him, but the interview did not last over a couple of minutes.

Q. You discussed this matter, I suppose?

A. What matter?

Q. This matter of the Magistracy up there?

A. Do you think I was insane?

Q. No, I do not think that.

A. I did not discuss one iota, good, bad or indifferent.

Q. Did anyone else?

A. Well, there were a lot of people there. How do you mean discuss it?

Q. Discuss this question that is in controversy now.

A. Not in my presence.

Q. Because, remember, November 12th, the date of the Liberal meeting in Orillia, was the day you were to see the Attorney-General and did not turn up, you told him you had an important engagement in Orillia?

A. No, that is some more suspicion.

Q. No, that is a fact. The calendar shows that is the date Mr. Roebuck was in Orillia. Did I say November—it was December 12th, that was the date Mr. Roebuck was in Orillia at the Liberal rally and that is the date you had appointment with the Attorney-General and sent down memo that you could not get down, had important engagement?

A. I did not know either of those gentlemen, I did not know they were going to the meeting and such a question was extremely remote. I had not a thought of such a thing in my mind. At that time I had no idea what would happen.

Q. Now, do you remember a conversation with Mr. Fenton and Mr. Muirhead in Orillia?

A. I believe they were in my office that day.

Q. What day were they in your office?

A. Oh, I do not know. Mr. Fenton and I were old high school friends, and he called in to see me, but I cannot recall.

Q. And did you discuss the question of your retiring allowance with them?

A. No, I do not know as I discussed any question with them any more than—

Q. Now, be careful because I have a statement from them.

A. I do not care what statement; I did not discuss anything with them.

Q. Did not discuss the question of whether you should get \$2,000 or \$3,000 retiring allowance?

A. No.

Q. Sure of that?

A. Yes.

Q. Now, you know Mr. Fenton would not say anything that was not true?

A. I always considered him a fair, square fellow, Billy Fenton, and who did you say the other one was?

Q. Well, I will produce them in time. Well, I think that is all I have to ask Mr. McCaughrin.

THE CHAIRMAN: Is there any further statement you would like to make?

HON. MR. MACAULAY: Q. Oh, you mentioned Mr. Holmes introducing you to Mr. Roebuck. Why, Mr. Holmes is the man who moved resolution in 1928 that you be fired?

A. Yes. Do you know why? A matter of economy for the town. He thought because my predecessor had his own office and equipment I should supply the same.

Q. Still he wanted to get rid of you in 1928?

A. In 1928?

Q. Yes, that is when the Town of Orillia passed a resolution asking for your dismissal. I read it this morning.



A. I am telling you why that motion was passed, that resolution.

Q. Mr. Holmes is the man who moved it?

A. Yes, he did.

MR. BAIRD: Q. Why did not you wait to see what Mr. Bayly was going to do for you before you went down to *The Globe* office?

A. Well, I thought after so many attempts and readjustments, I did not expect anything would come of it.

Q. You said you had a most pleasant interview with him?

A. Yes. It was all—well, I do not want to say anything about Mr. Bayly.

Q. You spoke so highly of him in your statement there?

A. I did.

Q. I wonder why you did not just depend on him to the extent of waiting until he had a chance to communicate with you again?

A. I was not going to take anything for granted any more.

THE CHAIRMAN: Quite apparent that Mr. McCaughrin was not satisfied to wait and acted the way he did because he thought in his judgment that was the thing for him to do?

A. That is the point.

MR. MURPHY: Q. Did it ever appeal to you after those matters and complaints received by the Attorney-General's Department that they thought you were incompetent to hold the position of Magistrate in Orillia?

A. I challenge any of the Ministers or anyone—

Q. I am talking about individuals who complained?

A. I challenge anyone to come into this room and prove to me my inefficiency. I was praised many a time for my judgment—you know it yourself.

Q. I do not know that.

A. You know this, you appeared in one of my courts in a case of preliminary hearing.

Q. Well, that was easy—you see, you did not have to try it, I asked for committal for trial.

A. Well, I could have dismissed the case.

Q. What about the trouble with Mr. McGibbon about you appointing counsel all the time?

A. That is not so.

Q. Well, somebody must be right some place.

A. Well, that is not so, and in the correspondence regarding that affair, Mr. McDonald, Lawyer McDonald, called me up on the phone and asked me if he could represent the Crown Attorney McGibbon in a certain investigation that was coming off, in, I think Beaverton, and I said, "No, I have not got the authority; you will have to get permission from Crown Attorney McGibbon.

MR. MORRISON: Mr. Harvie, your own solicitor, said that you appointed him to represent a case in prosecution—

A. I appointed whom?

Q. Mr. Harvie?

A. Mr. Harvie got his permission and request from Crown Attorney McGibbon.

Q. No, he denied that?

A. That is my understanding.

MR. MURPHY: Q. He said that you phoned Harvie and asked him to look after the case of a man by the name of Morris who had laid an information against a woman named Mrs. Elder for stealing some turkeys. Is somebody wrong in that matter?

A. I cannot recall ever arranging with Mr. Harvie to take Crown Attorney's place on that occasion, but he did represent the Crown and I understood it was by arrangement with Crown Attorney McGibbon.

Q. Do you remember in that particular case you were going to dispose of the matter in the Court room without the accused being present?

A. No.

Q. Do you remember that?

A. No, I cannot.

THE CHAIRMAN: The day that you came to give your judgment against Mrs. Elder?

A. Yes, I reserved judgment.

Q. I think you had previously reserved judgment and I think Mr. Harvie represented that judgment should not be given until Mrs. Elder was brought

in and case was adjourned for some time that she was brought in and you disposed of it.

MR. MURPHY: That is correct.

Q. I think you refused to have her pay witness fees in that case?

A. Because the accused could not pay them herself.

Q. Was the accused fined by you at a later date in Beaverton when another information was laid?

A. Yes.

Q. Did she pay that fine?

A. She paid the fine.

Q. How did you know she could not pay witness fees?

A. Well, the circumstances were very poor, I knew that from neighbours.

Q. You knew that before you tried the case, you had some knowledge of the actual facts and conditions of this lady?

A. No, they were—

Q. So that outside of what evidence you heard in the Court room, you had some person tell you something which you decided would help you reach a decision whereby you were not going to see payment of the witness fees—

A. No.

Q. Let us put it that way?

A. No.

Q. Well, repeat what you said again?

A. Well, what I said, or what I intended to say, was, I signed Mrs. Elder on a new case instituted by Crown Attorney McGibbon. The first case was for keeping in her possession turkeys knowing them to be stolen, receiving, and in the second case the Crown Attorney McGibbon preferred a charge to read, "Did steal," and I invited, or rather, Magistrate Bick of Cannington was in Orillia, and I invited him—or was it Beaverton?

Q. It was Beaverton.

A. I think Beaverton, and I invited him to sit on the bench with me, which, of course, he did. So we discussed the matter and I remanded or rather I adjourned, I reserved judgment for a week, and Colonel Bick, he being invited to sit on the bench, would be seized of the case, and, of course, he agreed to a fine of \$25.00, but she was unable to pay the costs.

Q. How did you know that?

A. I told her if she could not pay the costs she would have to go to jail in Whitby and she gave me abundance of proof that she was not able to pay. I could not put the woman in jail.

Q. You could not?

A. No.

Q. Do you remember an instance where a man was charged with being drunk in Orillia and fined \$10 and costs and you sent Provincial Police out to collect \$2.95 that was coming to you or else serve alternative of 30 days in jail?

A. Yes, and I did that on the receipt of a circular from the Attorney-General's Department saying it is undignified for a magistrate to collect fines which are not paid at the time and to turn it over to the police with a committal.

Q. This was only a matter of \$2.95, it was not the fine; the fine had been paid, these were the costs. Do you suppose, being fair about this matter, that some of those things which tend to show incompetency on the part of magistrate was the real reason on this question of resignation?

A. Well, it looked to me—

Q. I mean being reasonable about it, do you not think that is the basis of it?

A. I do, that was one of the sources—

THE CHAIRMAN: Q. Have you anything else you would like to say to the Committee? You have been cross-examined at some length. I thought probably there may be some things you overlooked and would like to tell us?

A. I appreciate that, and I cannot recall just now.

Q. Have you any witness you would like to call?

A. Mr. Heighington here might give me character evidence or Mr. McBrien.

THE CHAIRMAN: I do not think anybody questions your integrity.

A. Oh, that will be all.

HON. MR. MACAULAY: I will call Mr. Finlayson.

WILLIAM FINLAYSON, sworn. Examined by HON. MR. MACAULAY:

Q. Mr. McCaughrin was appointed on the 17th of June, 1927—anything you wish to say from then on about this matter?

A. I have to take the responsibility of recommending him for the position,



the reason was that his appointment was pressed on me by the returned men of Orillia, and I must confess at that time I knew him casually only.

Q. And then were there complaints from time to time to your knowledge as to the manner in which he was carrying on his duties there?

A. Oh, yes, since he was appointed there has been a series of complaints. Do you want me to go into them?

Q. Well, we have heard this morning from Mr. Humphries and Mr. Denison that they during their tenure as Inspector of Legal Office had made inspections and reports and the jurisdiction at first had been cut down by having several townships cut out of it, and then finally several more—

THE CHAIRMAN: I was going to suggest this: The evidence before the Committee is that Mr. McCaughrin was appointed, as Mr. Macaulay has pointed out in 1927, and that at different times between that period and up to the time in December when you met in your office, there had been certain complaints with reference to the Police Magistracy over which Mr. McCaughrin presided and that the Attorney-General's Department had reached the conclusion that it was not in the interests of justice and the administration of law and order that he should continue in that position. Now, perhaps you can tell us, Mr. Finlayson, when you learned first as to the general complaints in a general way and when you learned of the determination of the Attorney-General's Department to remove him and what you did?

A. Well, the first trouble that he got into that I had to intervene in was a series of disputes with Mr. Tudhope, now Judge Tudhope of Brockville, which were reported very fully in the papers and the Prime Minister asked me to see—Mr. Ferguson was Prime Minister and asked me to see them and I spoke to both Mr.—

Q. You spoke to both—who?

A. Both Mr. Tudhope and Mr. McCaughrin and asked Mr. McCaughrin if he could not control himself and stop these small rows that were being reported in the papers and I spoke to Mr. Tudhope and I told him the man has only been appointed a short time and he is not familiar with his duties and excitable, I wish you would help him, and Mr. Tudhope agreed to do that and did that very loyally for some time. I think the next trouble was a dispute with Mr. Boys, W. A. Boys, K.C., of Barrie. Mr. Boys came to me about it, said that he had three cases in Mr. McCaughrin's Court and would never go back, that he had appealed all three cases and Magistrate's decision in all three cases was reversed by the higher courts, and that his conduct in court was so bad that he was going to start an inquiry. He told me that he had spoken to several of the solicitors in Orillia and asked them if they would come and give evidence if inquiry was had. I told Mr. Boys that I thought things were a little better in Orillia court and asked him if he could not help a little instead of stirring up trouble there, an inquiry would be very unpleasant, and Mr. Boys agreed to overlook it, but he never went back, he tells me that he never reappeared in McCaughrin's court, and he is prepared to come here and give evidence of his absolute incapacity. Well, the next trouble was a series of troubles with Mr.

McGibbon, Crown Attorney from Whitby, and the Attorney-General spoke to me about that and I believe Mr. Humphries also and Mr. McGibbon spoke to me about it.

Q. Mr. Humphries is the Assistant Solicitor for the Attorney-General?

A. Yes, and Mr. McGibbon told me that he was quite incapable and that something would have to be done because he refused to appear before him and so I saw Mr. McCaughrin again and told him that this was reaching a head, that we could not put up with it any longer and he said to me, "Now, I do not want to hold this job indefinitely but I do not want to be kicked out," and he said, "I will resign in a few months when it cools down." Well, that would not satisfy Mr. McGibbon at all and so I saw him and I said, "McGibbon won't appear before you at all and has no confidence in you, we will have to do something," and he said, "What do you propose?" I said, "What they propose in the Attorney-General's Department is that you lose your jurisdiction in Ontario County and I think Victoria County," and he said, "Will that cut down my salary at all?" and I said, "I do not know what view they will take of that." "Well," he said, "I have no objection to giving up my jurisdiction where it brings me into contact with Mr. McGibbon and I will resign, Oh, say, six months or so later." Well—

Q. Resign from—

A. From his Police Magistracy, because I told him that the trouble was getting far beyond any control, and it became quite apparent that he could not adapt himself to the work, could not learn the work, and his disposition is hopeless as a magistrate, and so that particular trouble was cured by his being deprived of his jurisdiction in Ontario County.

HON. MR. MACAULAY: Q. He complains in his statements and affidavits that you were trying to get rid of him—it is apparent you were supporting him all this time?

A. At that time I was engaged in trying to get him out with decency. I recognized by that time that he was hopeless as a magistrate and sooner or later had to be disposed of and I would much prefer to have it disposed of in a friendly way and without any reflection on him, and then when he agreed to retire in a few months after it was over, that seemed the way out of it. In the meantime we satisfied Mr. McGibbon by cutting off his jurisdiction from Ontario County. I think it was done in two orders, and when the first one was prepared I said to Colonel Price one day, "Don't put it through until I see McCaughrin, I would like him to understand it and I would like to have an understanding that he will get out after some decent period has elapsed." So the order was held up and I saw McCaughrin in Orillia and I told him, "This cannot go on, you have scrapped with Tudhope, you have scrapped with Boys and scrapped with the Orillia Council and scrapped with McGibbon. Now, this cannot keep up," and he said, "Well, I never intended to hold office for any long period and I will get out, after a decent period has elapsed," and I think six months was mentioned. Then there was the row with the Town Council of Orillia that the resolution was put in and another row with the Town Council in 1931. The Town of Orillia according to the previous census, census of '21, was a little under 8,000 and under the Statute a

magistrate for a town of under 8,000 gets, I think I am right, \$1,200 a year and over 8,000 he gets \$1,500, and the moment the census returns were published it appeared that Orillia was slightly in excess of 8,000 people and Mr. McCaughrin claimed his \$1,500 from the Council, and there was some controversy over that. I spoke to him about it at the time and I said, "Dan, I do not think this is any time to press for enlarged salaries." But he was technically right and he pressed for it and got it but it raised a lot of feeling in Orillia and I could not go to Orillia without hearing endless complaints. I think nearly every solicitor in Orillia has told me his troubles. So the hope was that he would resign and he was to resign in a reasonable period after he lost the Ontario jurisdiction. Well then, getting into last summer there was a most undignified row there with a Provincial Constable who was dismissed and—

Q. What was his name?

A. Purvis, I think. Purvis was dismissed because—no good going into the details of it, and then he was up before McCaughrin on some liquor charge, and I do not know the merits of the case, Mr. McCaughrin may have been justified in dismissing him, but in dismissing it he gave him a certificate of character, saying what a wonderful man he was, which was published in the papers. It was a joke all around Orillia and made it very difficult to carry on the administration of justice when that sort of thing was being done. So we were anxious to get him disposed of and I was going up to Orillia on Armistice Day, and a day or two before—

Q. That is, the 11th of November?

A. Yes. And a day or two days before I spoke to Mr. Humphries about it and I said, "What is going to be done up here?" "Well," he said, "something will have to be done, it cannot go on indefinitely the way it is," and I said, "I am going to Orillia and I will see him, perhaps I will have a chance to talk to him." He promised to resign sometime ago, I hope he will now." He said, "However, you better see Colonel Denison, he is Inspector of Legal Offices, and he is the man who has contact with it." So I spoke to Colonel Denison and he told me that something should be done, that the man was absolutely hopeless, that he had not learned the rudiments of the office, had not any judicial temperament and he said, "I am afraid we will have something serious up there." I said to him, "What can be done?" Well, he pointed out to me, as he had on previous occasions, "We have got too many magistrates between Penetang and Orillia, in about thirty-five miles we have a magistrate in Penetang, magistrate in Orillia, magistrate at Victoria Harbour, and magistrate at Coldwater, and one at Barrie. That is five magistrates," and he said, "It is too expensive and the number should be reduced." I said, "What do you suggest?" "To combine Coldwater and Orillia," he said, "would cut down one." I said, "What about Gover?" "Well," he said, "Gover is one of the best magistrates in the Province and I would be very glad to recommend that he be given combined jurisdiction."

MR. SEGUIN: Q. He is magistrate at Coldwater?

A. Yes, adjoining jurisdiction, and I went in the morning to Orillia, motored up in the morning of the 11th, attended service and then walked over with the boys of the Legion to the centre of the town and then some of us went upstairs



in the Y.M.C.A. to Dr. Clark Wallace's room, who is the senior officer in Orillia. On the stairs on the way up Mr. McCaughrin spoke to me. We were walking up, happened to be together or close together and he said, "What is this I hear about combining Coldwater and Orillia jurisdiction?" "Well," I said, "Dan, the Attorney-General's Department are very much in favour of that and you had all this series of rows, I think it would be a fine time to do it now when you have no row on and you can get out gracefully." "Well," he said, "I told you I would resign and I never intended to hold it for a long time," and that was about all that was said on the stairs. Then we went into the room and we were in there for awhile and he called me out and he said, "I wish you would come out, Colonel, I would like to have a talk with you." I think some of the boys who were in the room can corroborate that, that he called me out. I can call some of them as witnesses, and he called me out and we walked down—the top storey of the Orillia Y.M.C.A. are dormitories—and we walked along the hall towards the front and then he opened up this subject again. He said, "If I have to get out I hope something can be done for me the way it was done for Mr. Cotter when he resigned."

Q. Who was Mr. Cotter?

A. Mr. Cotter was the Crown Attorney of the County of Simcoe for sixty odd years, Clerk of the Peace and Local Master of Titles. He had been appointed away back in the very days before I was born and carried on the work for sixty odd years and a few years ago he was 80 odd years of age, had been Crown Attorney for 60 odd years, and during the last few years of his holding the office he had been ill and weak and feeble and we solicitors in the county sort of divided up his work, I would take his work in Orillia and Midland, and Mr. Tudhope took it at Orillia, other solicitors all over the county took the work and carried him on as long as we could because we all knew the old gentleman had no means and he was a most lovable old man, a Liberal appointment but it was so long ago that we had forgotten all about it and the whole county loved the old man, and it came a time when he was in bed and could not do any work and somebody raised question on county audit whether he should get the fees that we fellows earned for him, and we thought he was dying, he had not any money; he owned, as I recollect, house, and widowed daughter was taking care of him and the whole County of Simcoe came—when I say that, I mean representatives of the county, and they said, "Your Government has got to do something for Cotter." I went to the Attorney-General and I said, "We have got to do something for Mr. Cotter." He said, "What do you propose?" I said, "I would like to see him get an annuity of \$2,500 for the rest of his life." I think he was at that time about 88 years old, 86 or something like that, and I said, "He cannot last long, but he is sick in bed, something has to be done." Mr. Nickle said, "The only thing I can do is give him a single payment of a thousand dollars out of fund I understand the Attorney-General has for compassionate cases." That is all he would do. So I said, "The old gentleman cannot live on that." "Well," he said, "you know what has been done?" and I said, "What has been done?" He said, "In other cases the man who takes over appointment has done something for the retiring officer." We had an arrangement in the County of Simcoe at that time that county patronage went around. I think there was at that time four county members, and went around alternate and it was Simcoe's turn to make appointment and it was suggested that something could be done along that line. Well, after long negotiations between Mr. Cotter's relatives, seeing the old gentleman,



going up to his house and being in bed, and the Attorney-General and a number of the Judges, everybody said, "For goodness sakes do something for him." Well, I nominated the gentleman, a solicitor in Orillia, who has the office, recommended him and he saw the Attorney-General and between them, the matter was referred to one of the Attorney-General's officers, and he then took the negotiations—although I want to say quite frankly I knew about it, recommended it and very anxious something should be done, and the arrangement that was finally worked out was that the incoming officer who took over the position, not only as Crown Attorney and Clerk of the Peace, but Local Master, which is a purely judicial office and means a whole lot of judicial work, which the solicitors will realize, that he was to pay Mr. Cotter half the fees of his office up to half of \$3,500 for the rest of the old gentleman's life. Now, I had nothing to do with this. Some of the judges knew about it, a lot of people here and practically the whole County of Simcoe knew about it, and that was handed over to Mr. Middleton, who was then in the Attorney-General's office, to work out the details. Now, Mr. McCaughrin said, "Cannot something be done for me the same way it was done for Cotter?"

HON. MR. MACAULAY: Q. This was all on the 11th of November at the Y.M.C.A.?

A. I said, "I do not know; I do not even know that Gover will take the position. I have never spoken to him, I have not the faintest idea whether he will take the position, I do not know anything about his means, and if he takes this office he will have to move to Orillia. I do not know whether he will give up his business in Coldwater, give up his position there to come to Orillia or not." Then Mr. McCaughrin told me that he had recently had some stock losses in which he had lost \$4,000 and if he could get that he would be satisfied. I said, "I do not know anything about Gover, whether he can pay \$4,000 or any amount and I do not know whether he would do it." "Well," he said, "I would take \$3,000." "Well," I said, "I cannot give it to you and I have not any control over it and there is no fund out of which it can be paid in Toronto."

Q. He said he thought you were joking?

A. Oh, nonsense, trying to get the best bargain in the ordinary bartering way.

MR. MORRISON: He had not been shocked?

A. No, only after cash. He said, "I will take \$3,000." I said, "I do not suppose Gover will pay you \$3,000, he may refuse to pay it." I had not the faintest idea whether Gover would take the place, and he said, "Will you see him and find out?" and I said, "I will see the Attorney-General and find out if the thing can go through but first we have to know whether you are going to resign, that is what is worrying me. You might as well understand that this thing cannot go on any longer, it is a public disgrace in the whole Orillia district, the whole Town of Orillia is talking about it, endless quarrels," and I felt responsible for it because I had recommended him in the first instance and I was a fool when Boys wanted to have an investigation I did not let him have an investigation. He said, "Will you see Gover?" and I said, "I will see the Attorney-General's Department and I will speak to Gover to see if he will take the position,"

and then he is right enough, I said, "It is between you and Gover," because I did say if the Attorney-General will appoint him, the other matter is between you and Gover.

MR. MORRISON: Q. Did he ask you to see Gover?

A. Yes, certainly, and so that was on Saturday. I came back and there was a military dinner in the Armouries that night, Armistice Night, and I was at the dinner and McCaughrin was there. I got up to go about ten o'clock and he came out with me to the front of the Armoury or part of the way, and he said, "Do you not think it is a pretty bad night to go to Toronto?" "Oh," I said, "that is all right," and he said, "I think you will be wise to stay here to-night," and I said, "No, I am going on." Then I went on and came to Toronto. Then he wrote me a letter.

MR. MURPHY: December 2nd?

A. No, it was before that. Here is copy of the letter, I will put original in.

THE CHAIRMAN: Q. What is the date?

A. Dated November 13th, 1933. It is addressed Colonel the Hon. W. H. Finlayson and starts off "I hope you reached home safely," etc.

Copy of letter from D. McCaughrin to Colonel the Honourable W. H. Finlayson:

"Orillia, November 13th, 1933.

"I hope you reached home safely. In our conversation Saturday regarding the magistrates I overlooked telling you that I had written Thursday of last week to Colonel Price that I had gotten some suggestion that there might be some changes in the jurisdiction here.

"It never occurred to me at the writing of the memo. that I should have written to you as the logical official.

"In my letter to Colonel Price I mentioned my financial position and condition, as did I to you Saturday.

"I have to attend with Howard Gover an executive meeting in the City Hall the 25th November and if convenient to you I shall give you a call, by which time you will be able to give me idea of developments.

"Faithfully yours,

"(Sgd.) D. McCAUGHRIN."

When I got this letter I spoke to Colonel Price about the matter about the same time and told him, "I think I am going to be able to clean up the situation in Orillia," and he said, "That will be a God-send," or something of that kind. I said, "McCaughrin is willing to resign but he wants some retiring allowance and I have told him there is no—cannot obtain any from the Government and he is trying to get something from Gover, I do not know

whether he will succeed or not." Colonel Price said, "Well, see what you can do, hand it over to Humphries to work out the details." Then he told me that he had a letter from McCaughrin before Armistice Day.

HON. MR. MACAULAY: That is in, November 8th.

THE WITNESS: He told me that he had a letter from McCaughrin of November 8th, before I was up I think, I did not know that at the time I went to Orillia on the 11th, but I merely mentioned that McCaughrin had in his mind the idea of retiring, anxious to get out.

MR. MURPHY: Did not you think it was in the public interest after you suggested to him that he should consult Gover about the matter—

MR. SEGUIN: We have that.

THE WITNESS: Then I got this letter from Mr. McCaughrin I have read, hoping I got back safely, a friendly letter and told me that he was coming down on the 25th. Well, I telephoned Gover and asked Gover if he would accept Orillia jurisdiction if it could be put through and Gover told me that he did not know. He said, "I would have taken it at the time of the appointment but I do not know whether I will take it now or not." I said, "You better think of of it," and he said, "All right, I will think of it," and he said—Mr. W. H. Tudhope had died at that time and he said, "You will be going to Mr. Tudhope's funeral in Orillia and I will see you there." I think the funeral was on the 16th, but he said, "I will think over it and I will let you know whether I will take the Orillia jurisdiction after Tudhope's funeral." So after the funeral I saw Gover in the Orillia House, and he said to me, "I have been thinking over that matter," and he said, "It is quite a sacrifice to move to Orillia. It means I will have to give up my business and give up my house and it is pretty hard to sell a house in Coldwater, I am inclined to do it but this man McCaughrin wants \$3,000." I said "That is all up to you, that is none of my business," then I said, "Right smartly you cannot get any money from the Attorney-General's Department." He said he knew about the Cotter matter and he said, "In that case the Province put up a thousand dollars," and I said, "Yes, Mr. Cotter had been there sixty years and this man only six years, and Mr. Cotter had the love of the whole County and was a distinguished success and this man getting out." I said, "I do not think the Attorney-General will put up a dollar for him and so far as superannuation he would not have drawn any superannuation, if it applied to him, until he had been in there ten years." He said, "I have been thinking it over and if \$1,500 spread over two years would satisfy him," he said, "it might be worth while doing that," and I said, "That is between you and he." Well, the next thing I knew I got this letter from McCaughrin he was coming down and Gover telephoned me he was coming down on the date of the Magistrates' Meeting on the 25th and so I wrote a letter to McCaughrin and told him that I had made a little progress, meaning thereby I had seen Gover and Gover was willing to go to Orillia. I said, "Come in the morning or come in the afternoon—" They sent me word that they had their meeting in the morning and could not come in the morning. They did not come in the morning and so 2.30 was arranged at the office. I went to the office at 2.30 and McCaughrin was waiting there when I got there, and Gover came in two or three minutes afterwards. Then it appeared that they had been on the train together on the way down and had



been talking the situation over and Gover was quite willing to take the Orillia position and they talked about an allowance of \$1,500 spread over two years, and McCaughrin wanted more. And as he said when he gave evidence I said, "That is a matter between the two of you," and finally McCaughrin said that he would take \$2,000 and Gover said, "All right, if you want to make the \$500 over three years, quarterly over three years," and he agreed to that. It did not take three minutes because they talked it over in the morning, all preliminaries had been talked over on the way down. There were a few other things—for instance, Mr. McCaughrin said that he had a stenographer there that he would like to have kept on and said she was very capable and Mr. Gover apparently knew her and they thought that could be arranged. Then somebody said, "How is it going to be worked out?" "Well," I said, "you must remember that it is not in my department, I cannot do anything at all; you will have to have it worked out in the Attorney-General's Department and he has told me to see Mr. Humphries," and he said, "What will I do?" I said, "McCaughrin, if you want to write your resignation and leave it with me you can," and he said, "All right, I will do that." I threw him over one of the pads that is around all our offices. You see, both these are torn off, this resignation and this memoranda, both torn off the same pad. You know the pads we have on our desks and all around this building, and I passed it over to McCaughrin and he passed it over to Gover and he said, "You write better than I do, you are younger than I am," and Gover wrote out this resignation, Exhibit 19. It is dated at Orillia, November 24th, 1933. I did not attach any importance to that because it was signed on the 25th as he says. The reason for that, at least McCaughrin said, "Perhaps you had better date it at Orillia yesterday when I was home." It did not seem to be important and Gover wrote it out that way.

HON. MR. MACAULAY: I asked McCaughrin about the date and he said he thought it was dated November 25th.

THE WITNESS: I know you did. Then the other memorandum which is signed by Gover was read, which simply provides—Gover wrote this out.

MR. MORRISON: Q. Did you dictate it?

A. I dictated part of it, there is no doubt about it. I dictated—

THE CHAIRMAN: Q. To summarize their agreement?

A. Yes, this is the memo. I did not dictate it all. I remember Gover writing out names at the heading. He is Division Court Clerk and Conveyancer at Coldwater and he wrote that out and then the question about what it was for was put in here, to provide retiring allowance and there being no provision for such allowance and it being proposed to combine Coldwater and Orillia and then these payments were set out, and then at the end I certainly dictated this: "Subject to approval of the Department of the Attorney-General, by whose officers the details are to be worked out." and it was dated 25th of November, 1933, and signed by Gover.

HON. MR. MACAULAY: Q. That was at your suggestion that clause was put in about the Attorney-General?



A. Yes. I told them quite frankly, "This is not in my Department and I cannot do it at all," but in a general way I told them I had spoken to the Attorney-General, and spoken to Mr. Humphries and Inspector of Legal Offices, Denison, and they approved—they are delighted to have Mr. McCaughrin out, and well satisfied to have Gover in combined jurisdiction. It was going to save the Province of Ontario \$500 a year the combining of the offices. More than that because there was only correspondence of one, only inspection of one and in cash it meant a saving of \$500 a year to the Province.

Q. McCaughrin said it was typed, he was quite wrong there?

A. Yes, quite wrong there. It was Saturday afternoon and no stenographers there.

THE CHAIRMAN: I think Mr. McCaughrin said that he did not say it was typed, it was *The Globe* said it was—*The Globe* made the mistake.

THE WITNESS: It is in his affidavit long before *The Globe*.

HON. MR. MACAULAY: Let us see, is it in?

MR. MURPHY: Mr. Johnston prepared the affidavit, the nefarious trafficking.

THE WITNESS: I may be wrong about that.

THE CHAIRMAN: Mr. McCaughrin is quite clear in he intended to convey impression it was typed—that is not so.

A. He is quite right, it was never typed.

HON. MR. MACAULAY: It is right in Mr. McCaughrin's affidavit.

MR. MURPHY: Mr. Johnston's affidavit.

HON. MR. MACAULAY: Yes, signed by Mr. McCaughrin. Let me read it to you, Clause 5:

"5. The said agreement was typed in the said Mr. Finlayson's office and was duly signed by the said Howard Gover, but I did not sign the same or even commit myself to it in any way until it had been submitted to the Attorney-General and subsequently submitted to me, and even in the latter event I did not commit myself to becoming a party to it."

That is not a mistake of *The Globe*, it is a mistake of Mr. McCaughrin in his affidavit.

THE WITNESS: Well, it is entirely wrong whichever it is. There was no typewriting, no stenographer, and it was only intended as a memorandum to go to the Attorney-General's Office to work out something if they could. Now, when they were through with it— Yes, I should say Gover signed it and he said to McCaughrin, "What about you signing it?" and I said, "There is no necessity

for it, he is signing his resignation and that is his part," and I think he would have willingly signed if we asked him. There was no thought of his signing, no occasion to. He signed resignation and Gover signed what he would do if the Attorney-General worked this out. It was never intended as a contract, just as a basis to get something signed by each one of them if the Attorney-General approved of it and the officers could work it out all right. I am quite satisfied that McCaughrin would willingly have signed it if we asked him. After that they remained a few minutes and something was said about security. McCaughrin raised the question, "What about security for these payments?" and Gover said, "Oh, you have known me for a long time, you know I am good for it and you know I will make the payments," and McCaughrin said, "Oh, that is all right, Howard, I am quite satisfied to take your word." Then he raised question about office, some furniture and possibility of taking over something and things of that kind and talked about what he was going to do for awhile and told us the whole old story about his invalid wife and at that time he told me—I think that is the time that he told me the first time what he was getting from the Pensions. I had known when he was appointed to the office—I knew he was getting C.P.R. pension, which I think was around \$70.

THE CHAIRMAN: A month or year?

A. A month, and at this time he told us that he was getting a Military pension of \$60 a month, and I said to him, "Well, you are in pretty good shape," and he had written the Attorney-General that he had \$4,000 in bonds, and that he had house paid for in Orillia and so I said, "Well, you are in pretty fair shape," and he said, "Oh yes, our wants are simple, we are all right." So they went off and I thought everything was happy, and that was on Saturday. Early in the week I telephoned over to get Mr. Humphries so that I could tell him about it and he was away up at the Windsor Inquiry I think, and remained away for a long time, and then Colonel Price one day, I think at lunch, I told him that we were getting this thing arranged and I said, "I put in McCaughrin's resignation now," and I said, "What about the other arrangement?" and said, "That will have to be worked out by Humphries." He said, "Those things are always attended to in the office." I said, "When will he be back?" and he said, "I do not know, he is away for some time," and after that I wrote a letter to the Attorney-General enclosing Mr. McCaughrin's resignation. In due course that was accepted. I also told the Attorney-General—

MR. SEGUIN: Q. That letter was not marked "Confidential"?

A. To the Attorney-General, I do not think so. The next step I think was that I got a letter from McCaughrin, the one he refers to, and he is wrong about the way it worked out, although perhaps it is not very important. He said that he sent letters to Colonel Price. He did not, he sent me the letter and copy of it. He sent me carbon copy in another envelope and marked "Deliver to Colonel Price," and I sent it over to Colonel Price. That is the letter referred to to-day. He is right in saying after that I telephoned to him and asked him, expressed myself surprised at receipt of this letter and I said, "What do you mean?" I had seen that he had given some interviews in the paper, one of the evening papers had an interview with him saying that he had resigned and then the next evening other paper had another interview with him in which he said he had put in a tentative resignation and I said, "You are making it very difficult

with all this nonsense, one minute you have resigned," and I said, "What do you want?" and he said, "I am not satisfied with that money, I do not know why I got down to that. I was to get \$3,000; you promised me \$3,000," and I said "I never promised you a cent." I said, "I am not going to have anything more to do with it, you have resigned and you will be out and you will be lucky if you get out without an investigation. I am not going to have anything more to do with it, you understand that," and I did not answer his letter, and then a day or two later he saw the Attorney-General and the Attorney-General told me, gave me an account of the interview, and told me that he had refused to have anything to do with Mr. McCaughrin until that letter was withdrawn and McCaughrin had either destroyed letter that Colonel Price had or told him to and sent message to me to destroy copy I had, and I did that. I think that is the last of my dealings with it.

THE CHAIRMAN: Q. Had you reached decision as to whether this man was to continue longer—who advised you in the latter part of 1933 that Mr. McCaughrin could not remain in the post any longer?

A. Well, Mr. Chairman, I had come to that conclusion long ago. I had told him, particularly after his rows with Mr. Boys—Mr. Boys is one of the Senior Counsel of Ontario, and certainly head of the profession in our part of Ontario, and he told me, "This cannot continue, it is a disgrace to have any man's life or property or liberty under a man of that kind. I have had only three cases before him and I have appealed them and they were all reversed and he has got to get out." Well, my mistake was not to get Boys have investigation if he wanted to, and get him out but I did not want to see the poor chap kicked out that way, and I saw him and he agreed to resign and from that time on I was determined to get rid of him. When we got rid of him in the Ontario jurisdiction that was one step in the right way, and then the next thing was to get him out of Simcoe too.

Q. So that your negotiations, the part you have described with Mr. Gover, was an effort to do something for Mr. McCaughrin?

A. The primary effort was to get him out as magistrate and save the reputation of justice in that part of the Province, but I was very willing at all times to try and get him out to save his face and get him out with decency, and if Gover was willing to give a little money—

MR. HEIGHINGTON: Q. When these suggestions were made about retiring allowance, did Mr. McCaughrin express any indignation at any time?

A. No, that is absurd.

Q. Did he draw any distinction between taking this gratuity, or whatever you wish to call it, from Mr. Gover as against the public purse?

A. Never suggested it to me at any time; did not matter where the money came from to him.

MR. MORRISON: Q. He knew where it was coming from?



A. Of course he did, and all he wanted to do was to get more.

MR. MURPHY: Q. The base of this thing, as he admitted to-day in the witness stand, incompetency?

A. No doubt, Mr. Murphy, if you ask anybody in Orillia they will tell you that.

Q. You were well aware of the rumblings that were going on?

A. Yes.

Q. The basis of it was incompetency?

A. Oh, the base of it was to try and save the administration of justice. I would not be surprised any morning to hear of some new trouble going on, and I have to take the responsibility for his appointment.

I do not want to blame it on the returned men, they pressed it on me. All I have to apologize for is that I lacked courage not allowing one of those investigations to go on. I thought it was so simple, "if you let this thing go over I will resign in a few months." He has told a score of people in Orillia he was going to resign.

Q. A short time after he was appointed the Town Council in Orillia forwarded a resolution to the Attorney-General did they not, asking for his removal?

A. Yes, not because there was a row over the office; because, as they say it is bad for the administration of justice.

MR. SEGUIN: I just wonder whether Mr. Finlayson has filed that letter that Mr. McCaughrin wrote?

THE CHAIRMAN: It is here (to Mr. McCaughrin). Would you like to ask Mr. Finlayson any questions?

MR. McCAUGHRIN: I would, indeed.

MR. SEGUIN: As this meeting has lasted a long time, may we know right now when this Committee is going to be adjourned to.

MR. McCAUGHRIN: I would like to ask Mr. Finlayson—this is the most camouflaged harangue and misplacing of facts.

MR. SEGUIN: That is not a question, that is a statement.

MR. McCAUGHRIN: I want to ask Mr. Finlayson about the \$3,000 that he spoke of that I wanted to get from Gover and Gover did not want the job anyway and was not particular. When you were dictating the terms of this agreement I said to Mr. Gover, "I would like to remain on the position for six months." He said, "Oh, no, that would spoil my plans." Gover had been trying for six months—yes, a year—to get the position of magistrate at Orillia?



A. Let me answer your question. Gover has never spoken to me about the position of magistrate at Orillia at any time. He has never spoken—I know from the Attorney-General, Denison and Humphries, he has never spoken about it, when I had to ask him if he would take it.

Q. How then could he say, “Oh, no, that won’t fit in with my plans?”

A. When was that?

Q. The day that he dictated these terms and he wrote it out—I did not say typed, I said wrote.

A. No, you said typed.

Q. I said wrote, not typed.

A. Read it and look at it. Do not make statements that are entirely wrong. There is your affidavit.

THE HON. MR. MACAULAY: Read paragraph 5 of that oath that you took.

MR. McCAUGHRIN: It says “Typed” there.

THE WITNESS: You signed that. Mr. McCaughrin, let me tell you this, whether you believe me or not, I have never discussed with Gover until after I saw you on the 11th of November the possibility of his taking it. Never asked me for it and never talked of it.

Q. How was it, then, that he had arranged for a home in Orillia?

A. Afterwards on the 25th when he came down, he had, of course, made up his mind if he could get Orillia he would take it.

Q. Then further you referred to Lawyer Boys in Barrie saying that he would not come up and take a case in my court?

A. Yes, he tells me that he has never been back and sent his son.

Q. Yes, and the son and I get along very well.

MR. MURPHY: The three cases that you had—

MR. McCAUGHRIN: Very well, I wish to comment on those three cases.

THE CHAIRMAN: Just ask the question.

MR. McCAUGHRIN: Q. In those three cases, how many of the appeals were sustained?

A. I understand that the only three cases that Mr. Boys had before you they were all appealed and you were reversed in all three, that is what he tells me.

Q. The first case was a case of accident where I signed Defendant \$100 and costs?

A. And that was reversed.

Q. Yes, but it was taken up by the insurance company and my judgment was sustained because they had to pay the insurance.

A. Your judgment was reversed by the County Judge.

Q. The next case, of course, was this: I found a party guilty, the two young men in connection with the case perfectly agreed on their evidence. Then when it came to appeal they quarrelled with each other, the Judge said, "Sustained"?

A. You were reversed again.

Q. There are several other things, Mr. Finlayson, that I would like to ask you. I do not want to waste the time. Did you not say in the Y.M.C.A. that day that you thought you could get the \$3,000?

A. No, I never said anything of the kind because I never had spoken to Gover.

Q. You did.

A. Look, I am sorry that you are in the trouble you are. You never had a better friend than I was, you never had anybody do as much for you as I did, and that day you asked for three thousand I told you I had not spoken to Gover.

Q. I never talked to Gover about price?

A. You did, you talked on the way down on the train.

Q. How do you know?

A. You told me so.

Q. I did not.

A. Well—

Q. I did not discuss it with him.

A. On the train on the way down?

Q. No.

A. You said so to-day, did you not?

WILLIAM H. PRICE, sworn. Examined by THE CHAIRMAN:

Q. You are the Attorney-General for the Province of Ontario?

A. Yes, sir.

Q. And you are familiar with this transaction of Mr. McCaughrin, the Magistrate?

A. Well, some parts of it.

Q. Officers of your Department have testified here to-day in their judgment, and reports to the Department, this man was unfit for the proper administration of justice as Police Magistrate at Orillia. Mr. McCaughrin has referred to a conversation which he had with you concerning this matter. Will you tell the Committee what took place?

A. At that interview the only conversation I had with Mr. McCaughrin was in my office. Mr. Finlayson had asked me to see him and someone in my office asked Mr. McCaughrin to come to Toronto to see me. I did not talk to him myself. He came into the office, and it was after he had written a letter to Mr. Finlayson, sent a copy to me and I think the letter is on file.

Q. That is the one he spoke of to-day and dated the 18th November?

A. Yes. He had written to me previously on the 8th of November saying that he had hard luck, that his wife was bed-ridden since 1920, and that was the first intimation I had about it, but on this occasion when he came into the office I said to him right away about this letter, said to him, "Mr. McCaughrin, if you have written this letter to Mr. Finlayson, sent me a copy—I have had a great many complaints about you as magistrate. I have really been long-suffering as Attorney-General and if it had not been for the veterans appealing to me personally, Mr. Finlayson appealing to me steadily on your behalf, I would have retired you. As it was I took away part of your jurisdiction on two occasions, and yet feeling that you might make a better magistrate in time. Your temperament is not very good apparently for a magistrate," and he said, "Well, I felt that I should write this letter," and I told him then that the letter, considering the fact that Mr. Finlayson had been trying to do something for him, the Department had been anxious that he would not be dismissed without some kind of provision being made for him and that as he had only been there for six years it was impossible for the Department to make any adequate provision like the Cotter case, that he entered into these negotiations and apparently came to an arrangement; that it seemed inexplicable that he could write a letter like that, knowing all the circumstances. I said to him, "I am not going to consider this at all, Mr. McCaughrin, as Attorney-General of this Province until you withdraw the letter that you have written to Mr. Finlayson, copy you have sent to me. I do not propose to discuss with you this situation at all after you have made these statements you have in the letter. Now, if you feel you want to withdraw the letter and discuss the matter of your resignation and retirement on an open basis, without reflecting on anyone who have tried to do anything for you, when you are inefficient, then I will give consideration to it." He became quite apologetic and he said that he just felt worried about it, he was not sure whether it was right

and I said to him, "You knew the Cotter case, did you not? You knew Cotter, a respected citizen there for sixty years in office, and you knew Mr. Nickle, my predecessor, and you knew Mr. Evans, a respected citizen, Crown Attorney now there, were they putting up any deal to buy anybody or do as you talk here?" He said, "Well, he did not know that and felt probably if it goes through the Department it would be all right." "Well," I said, "Mr. Humphries and the Inspector of Legal Offices look after these matters and the matter will be referred to them." Then he put up the question of being allowed months' leave and thought that would be better or be allowed to carry on for six months. So we talked for some considerable time and I said, "Well, I will consider the whole thing, Mr. McCaughrin, on its merits, I will make enquiry as to how far it has gone, whether Mr. Gover has been spoken to and whether he thinks he is going to move to Orillia, whether he is going to succeed you. I will take into consideration all these facts and when Mr. Humphries comes back from Windsor, where he has been carrying on representing the Department in an investigation, I will have the whole matter brought before him and Inspector of Legal Offices. I do not work out those details myself." He said, "Well, that will be very good," and I was to let him know. He then turned to go out the door and as he got to the door, I was away from my desk somewhat, he turned to me, and he said, "Could you not make that \$3,000?"

Q. That is instead of \$2,000?

A. Yes, "Could you not make that \$3,000?" "Well," I said, "Mr. McCaughrin, I think a man who is in for six years and if his successor, with the approval of the Department, through the Department, is willing to make some kind of allowance of gratuity of \$2,000, you are doing very well, but," I said, "I will consider the whole thing from every angle," and he went out. Later, of course, he wrote me the letter that has been filed, apparently in good faith—I thought I was doing something decent for an old man nearing the night of life, who had been a veteran in the Great War, a man I should not have kept there. A man about whom I got complaints quite often, I thought I was doing the decent thing. I was rather surprised and when I got that letter I spoke to Mr. Finlayson about it.

Q. That is letter of December 14th?

A. That is the last letter, December 14th, 1933. I said to Mr. Bayly, "I think you had better see Mr. McCaughrin and just see what changed attitude he has. This is a right-about-face." Mr. Bayly had not known anything about it because Mr. Humphries usually looked after those matters, they are solicitors' work in the Department, and I asked Mr. Bayly to see him and he came down to see Mr. Bayly. I had not a talk with him. Now, I think, Mr. Chairman, that the only mistake that I made as Attorney-General that I did not retire him before he was appointed.

Q. You have not any hesitation in saying that?

A. I was long-suffering and I feel, as far as I am concerned, my conscience is clear, I will always have a feeling that I did a kindly thing to an incompetent old man who has been led astray to doing this.



MR. MURPHY: The basis of it all was incompetency?

A. Yes. He has, I suppose, some native ability but his temperament is bad.

HON. MR. MACAULAY: Q. And following the analogy of the Cotter case, although had not reached that point, could something have been worked out by your Department?

A. What we would have done is this: I found out from the Department that Mr. Gover had been notified, as Mr. Finlayson intimated he had talked about renting a house and he had gone on in good faith and I felt when I wrote him after that, wrote Mr. McCaughrin after that, that it would be quite unfair when everybody had acted in good faith to allow somebody to come along who just wanted to raise the ante, it would be quite unfair and I made up my mind I was going to accept his resignation and I did, and also that Gover should be appointed, and had the papers drawn but in none of those papers was anything said about arrangement that he had arrived at because that was a matter for Department to handle. No salary or anything mentioned and it would be put through the Department. All these cases that have gone through my Department, not only in my time but in the time of every Attorney-General, if they had been stopped just where this case was stopped, any person could have talked about it. If Irwin and Bull where agreement was signed before put through—

Q. In what year was Irwin and Bull?

A. That was back in the Ross Government days, 1889, in the Cotter case, in the Seager case. Somebody has got to be decent to the retired man. I always thank God that there are friends—

MR. MURPHY: Q. There is no provision by Statute, Colonel, whereby a man like McCaughrin appointed would receive money?

A. No, there is no provision. We have a small fund called the—it is a gratuity fund—compassionate fund, from which we can give a small amount. Now, in Cotter's case we gave a thousand dollars for a man who had been there for 60 years. In Jelfs' case we appointed him as probation officer, and as I said in my letter, I might have given McCaughrin some work to do—not as magistrate, but something else if he was impecunious—some adjustment of something, some other work.

Q. Did he ever complain at any time when these jurisdictions were removed from him?

A. No.

THE CHAIRMAN: Q. Is this a different principle from any of the previous cases?

A. No different principle.

MR. SEGUIN: Q. Magistrates are not appointed for any time?

A. I could have retired McCaughrin at any time. When I say "I," as Attorney-General, representative of the Government, I could retire magistrate at any time, but if I had retired this man years ago I would probably have had a lot of people saying I had been miserable to him, I had not treated him fairly, he was a veteran of the Great War, his wife was sick, etc., and the Attorney-General threw him out on the street and gave him nothing. I would not have appointed McCaughrin but for the Veterans—I am very favourable to Veterans. I knew McCaughrin because the first time I met McCaughrin I went up with the Bishop of Toronto to unveil a memorial at Caledon East where McCaughrin was station agent, and he was Chairman of the meeting and he invited me up, and I had that in mind that he had done some service in getting that memorial, and I am long-suffering to returned men because I know they have gone through so much.

THE CHAIRMAN: Have you any questions, Mr. McCaughrin?

MR. McCAUGHRIN: I was going to ask Mr. Price this: Is it not the practice that the retiring, or rather, the payment of a thousand dollars a year to Crown Attorney Cotter—

A. It was not a thousand dollars a year, the Province simply gave him a grant of a thousand. That ended it then. Evans paid him \$1,500 a year until he died, and every year he paid it.

Q. Is it not a fact that is official precedent as regards the case of Cotter—is it not a fact—

A. It is not a precedent, I might have allowed you \$100 or \$50, be about the same thing.

Q. Is it not a fact that Mr. Cotter was connected in the office in advisory position, in which the—

A. No, he was in bed, as you know, bed-ridden.

Q. Well, Mr. Evans paid him and I knew it.

A. \$1,750 a year, the same as Gover would have paid you.

Q. But he was connected there in an advisory position?

A. No, he was not, I told you.

THE CHAIRMAN: Well, gentlemen, we have had a long session. Do I understand, Mr. Macaulay, as far as you are concerned, you have not any more evidence to present?

HON. MR. MACAULAY: I would like to put in list of former cases that Mr. Humphries knows about.

THE CHAIRMAN: Well, Mr. Humphries can file a list of the previous cases

on record in the Attorney-General's Department with the particulars of the annuities or allowances which have been made.

Now, gentlemen, has anybody here any suggestion to make as to a witness that should be called now or any further evidence?

MR. HUMPHRIES: There is another matter that I would like to file too, I think, and that is the copy of the Order-in-Council accepting Mr. McCaughrin's resignation. You have not got that. I think that should be put in—12th. December, 1933.

EXHIBIT 21: Particulars of annuities or allowances in previous cases, to be filed.

"Copy of an Order-in-Council approved by The Honourable the Lieutenant-Governor, dated the 12th day of December, A.D. 1933.

"Upon the recommendation of the Honourable the Attorney-General, the Committee of Council advise that the resignation of Daniel McCaughrin, Police Magistrate, Orillia, Ont., be accepted, effective December 31st, 1933.

"Certified,

"C. F. BULMER,

*"Clerk, Executive Council."*

EXHIBIT 22: Copy of Order-in-Council, dated 12th December, 1933.

THE CHAIRMAN: Have you any witnesses you wish to produce, Mr. McCaughrin?

MR. McCAUGHRIN: No.

HON. MR. MACAULAY: Do you want to call Mr. Johnston?

THE CHAIRMAN: Well, he said he has not any witnesses.

HON. MR. MACAULAY: Do you?

MR. McCAUGHRIN: He could not give any more evidence.

THE CHAIRMAN: I take it you do not want to call him.

MR. McCAUGHRIN: Well, it might be well—

THE CHAIRMAN: Do you want to call him?

MR. McCAUGHRIN: Yes, I want him to be called.

THE CHAIRMAN: When do you want him? The next meeting is Tuesday. Do you wish a subpoena issued for Mr. Johnston?

MR. McCAUGHRIN: Yes.

THE CHAIRMAN: Does that meet with the wishes of the Committee? (Carried).

Do you want Mr. Roebuck?

MR. McCAUGHRIN: No.

THE CHAIRMAN: You are quite clear on that, you do not want Mr. Roebuck?

MR. McCAUGHRIN: No.

THE CHAIRMAN: Have you anybody to suggest, Mr. Munro?

MR. MUNRO: No.

THE CHAIRMAN: This meeting stands adjourned until Tuesday next at 10.30 a.m.

—After the Meeting had been adjourned.

THE CHAIRMAN: Mr. McCaughrin has come to me with the request not to subpoena Mr. Johnston and that is agreeable to me as far as I am concerned.

MR. McCAUGHRIN: Then I want the subpoena which I spoke of issued against Mr. Harry Johnston withdrawn.

MR. MURPHY: You withdraw the application?

MR. McCAUGHRIN: Withdraw the request.

Meeting adjourned at 7 p.m. to meet Tuesday, February 13th, at 10.30 a.m.

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### THIRD SITTING

Tuesday, February 13, 1934, 10.30 a.m.

THE CHAIRMAN: Will the Committee come to order.

THE SECRETARY calls the roll.

THE CHAIRMAN: Gentlemen, at the conclusion of the meeting on Friday last Mr. McCaughrin asked the Committee to bring Mr. Harry Johnston. He subsequently came back to the Committee and said that he did not wish him called. I suppose Mr. Johnston is not here this morning? Then, Mr. Macaulay, have you any other witnesses you would like to call before the Committee?

HON. MR. MACAULAY: Just two, Mr. Chairman. At the conclusion of the



last Session you remember I asked Mr. Humphries to put in a list of what the Department regards as precedents, where officials have been retired, and he has prepared that list, and I thought it better for the Committee that he should read that list this morning and explain it, if anybody has any questions, rather than just put it in without any comment or without the circumstances relating to the cases, some ten or fifteen.

The other question arose out of the fact I asked Mr. McCaughrin over some twenty questions as to the authenticity of the interview that appeared in *The Star*. He denied ever giving *The Star* the interview, and, knowing *The Star* as I do, I felt sure that they would not fake an interview, which is what he charged in his absence and so we subpoenaed the Reporter of *The Star* who got the interview, and I will ask that he be called, Mr. Keith Munro.

KEITH MUNRO, sworn, Examined by THE HONOURABLE MR. MACAULAY:

Q. Mr. Munro, you are a Reporter for *The Star* newspaper?

A. I am.

Q. I hand you issue of *The Daily Star* dated Tuesday, December 26th, with a heading over a two-column article or story, called "Double-crossing Taint CAST at McCaughrin by Attorney-General." Underneath it is, "Cadi gives denial," etc., will you just look at that issue and that article and tell me if that is the report you sent in to *The Star*.

A. It is only mine from the sub-head.

Q. Will you read the portion of the story that you take responsibility for?

A. "That is a falsehood. Nothing but a falsehood. I cannot understand a man using such terms" declared Mr. McCaughrin when told that the Attorney-General had charged that he was "Double-crossing. I never double-crossed anyone in my life that I know of," he continued. He says "All the time that I was in Bayly's office talking over the terms of my retirement that I had that affidavit in my pocket ready to give to the Liberals. That is not true, for I had no such thing. The affidavit was not even prepared then and when I was in the Department that day I had in my pocket only my watch and card case."

Q. That is the pertinent part of the interview that I wanted verified, Mr. Munro. On my examination of Mr. McCaughrin the last day this Committee met I just want to read these questions and answers to you—I will read on for two or three pages; it is on page 166:

"HON. MR. MACAULAY: Q. When *The Star* interviewed you on December 26th, that is after Mr. Price had made his statement, saying that you had this document in your pocket when you went up to see Mr. Bayly, *The Star*—

A. I never said that.

"Q. No, but *The Star* reports you on December 26th as saying as

follows: 'I never double-crossed anyone in my life that I know of,' he continued. 'He says that all the time I was in Bayly's talking'—

I will read it just as it is on the record because I think the Honourable Members will be able to conclude that Mr. McCaughrin was denying the interview in toto.

"He says that all the time I was in Bayly's talking over the terms of my retirement that I had that affidavit in my pocket ready to give to the Liberals.

"That is not true—

"A. Who said that?

"Q. I am telling you what *The Star* said?

"A. It is not true.

"Q. I am telling you what *The Star* said you said?

"A. Well, that is an untruth, I never said it.

"Q. 'That is not true, for I had no such thing.

" 'The affidavit wasn't even prepared then.' Did you tell *The Star* that the affidavit was not prepared at the time that you were in Mr. Bayly's Office?

"A. No.

"Q. Why should they print such a statement?

"A. I do not know."

I tried to find out whether by telephone or by local reporter and he denied that he gave the interview at all. Can you tell us where the interview took place?

A. Yes, I called him over long-distance telephone, about, I would say around 10 or 11 o'clock in the morning, about the time the paper went to Press and I told him who I was and why I was calling.

Q. You told him it was *The Star* that was calling?

A. Yes; I explained to him that the Attorney-General had called him a "Double-crosser," saying that he had the papers prepared at the time he was in seeing Mr. Bayly.

Q. That was the gist of the interview, was not it?

A. That was all I called him for.

Q. And his answer was what?

A. His first answer was, he said, "It is a lie, a foul dirty lie," and then a little later in the interview he asked me, he said, "I was a little too strong, I would rather not say that, I would just say it is a falsehood."

Q. Then your report continues that he said, "The affidavit was not even prepared then" at the time he was in Mr. Bayly's office?

A. Well, that is the whole reason I called him and asked him that.

Q. You remember him telling you distinctly that the "Affidavit was not prepared at the time he was in Mr. Bayly's office?"

A. Exactly, that is why he said it was a lie, a foul, dirty lie. At least, that is what I understood by his—

THE CHAIRMAN: Any member of the Committee would like to ask the witness a question? Thank you.

HON MR. MACAULAY: Now, I would like Mr. Humphries, as he at the last Session of this Committee was authorized to file this Exhibit No. 21, and before filing it I would suggest that he give these precedents and memorandum that he has prepared as to each of them for the record.

I. A. HUMPHRIES, recalled. Examined by HON. MR. MACAULAY:

Q. Mr. Humphries, at the very close of the last meeting of the Committee, you were asked to file from the files of your Department a memorandum showing cases which your Department regard as precedents for the proposals to provide a retiring allowance for Mr. McCaughrin—have you prepared the memo.?

A. Yes, I have, Mr. Macaulay.

Q. Will you read it to the Committee?

A. The statement I am about to make, Mr. Chairman, is statement that was prepared from an examination of a number of files which were in the Department, which I had occasion to go over, and I will take them according to the years, in chronological order.

The first one I have deals with the Sheriff of the County of Leeds and Grenville.

THE CHAIRMAN: Of what year?

A. 1898. By an Order-in-Council dated the 10th day of September, 1898, Mr. James Smart, who was Sheriff of the United Counties of Leeds and Grenville, was retired. The report that is attached to the Order-in-Council, and which purported to be signed by A. S. Hardy, Attorney-General, shows that Mr. Smart had been Sheriff for about fifteen years, that he was 80 years of age, and

for some years had been in a feeble state physically, and it was agreed that the incoming Sheriff, Mr. George Augustus Dana should pay to Mr. Smart the sum of \$1,200 per annum, payable monthly, and that Mr. Dana should give sureties for the due payment of the money. This arrangement was confirmed by an Order-in-Council. On the 18th of March, 1902, Mr. Dana resigned, complaining that the net revenues of the office were not sufficient to pay the ex-Sheriff the sum stipulated. An action was brought in Court to recover the money from the sureties on the bond and that action was tried by the late Mr. Justice Street, and it was held in that action that the bond was valid and the transaction was valid. I have the files here if anyone desires to look at them, I would be very glad to show them to them. That is the first case. The file number is 1820 for the year 1902 and file number 5354 for the year 1898.

The next one that I have deals with the Clerk of the Peace for the County of York, in the year 1899. The retired official in this case was advanced in years, and his health had failed, and in order to make provision for his maintenance the following arrangement was made:

His successor to pay \$900 per annum for a period of five years, if he shall live so long, and if not then during his life-time, to be paid to him by his successor in office, and that the same be so reserved to him in the patent appointing his successor, and to be secured to him also by an agreement or bond of his successor in office, with two sureties in the sum of \$1,000, the said sum of \$900 to be payable to him in equal quarterly payments during the said period of five years, or until his death if such event should happen before the expiry of the five years.

The Order-in-Council is dated 24th day of February, 1899, and I have the Order here.

HON. MR. MACAULAY: Q. That Clerk of the Peace is still in office?

A. Yes, Mr. Irwin was the Clerk of the Peace who took over the office of Mr. Bull, who was the official that was retired.

There was a case in the Registry Office of the County of Simcoe. The Registrar was appointed March, 1918, and in this office there was a deputy who had been there for many many years. He was physically incapacitated and being an old official, rather than having him put out of the road, this arrangement was made, that he was to be paid his salary out of the fees of the office which would otherwise have gone to the new registrar coming in. The Attorney-General in 1919 was interviewed as to the right of the Inspector of Legal Offices to allow this payment as a disbursement of the amount payable to this Deputy, and the County of Simcoe brought an action, as they were interested in the percentage payable on surplus fees of the office, and the action was dismissed and on appeal from the judgment of the trial judge it was upheld. Judgment was given on the 15th day of November, 1921. File number is 3007.

THE CHAIRMAN: Q. Who were the parties involved there?

A. The parties involved were Mr. Sanderson, who was the Registrar appointed, and the name of the Deputy was Mr. Montgomery.



HON. MR. MACAULAY: Q. Well then, in effect, this arrangement which allowed this payment by the incoming official as disbursement deprived the County of their share of that portion of the fees?

A. Yes, it did.

Q. And on a question as to the legality of it, in a contest in the courts, it was approved?

A. It was.

Now, the next case I take is in 1921. This was a Police Magistrate by the name of Miller who lived at Wiarton, who was former Police Magistrate and compassionate allowance of \$250 a year was made payable to him during the period of his lifetime. He received this money up until 1927 when he died.

THE CHAIRMAN: Q. Who was the payer-out?

A. The Government was to pay that by Order-in-Council.

Q. What year was that?

A. Started back in 1921 and he died in 1927. The first order that I have is 13th day of September, 1921. "Upon the recommendation of the Honourable the Attorney-General, the Committee in Council advise that a compassionate allowance of \$250 be paid to Mr. Miller, Police Magistrate in and for the Town of Wiarton," etc. Paid by the Province.

HON. MR. NIXON: Q. That would be paid out of the Consolidated Revenue of the Province?

A. Yes, paid out of vote 245, item 2 of the current Estimates.

THE CHAIRMAN: Q. What is the number of the file?

A. The number of that file is 2932.

MR. HUTCHISON: Q. That went through the House in Public Accounts, in the Estimates?

A. I suppose it would; I did not check the Estimates to see whether they were in them or not, but I imagine you would find it there if you look for it.

MR. BAIRD: It was done quite openly.

MR. TAYLOR: It had nothing to do with the filling of the office of Magistrate—the office was filled before this arrangement was entered into?

A. Oh, I do not know. I just have this file and I just take them as I find them. I was not here at this time; I am only giving you the reference.

Then there was Local Registrar in the Supreme Court, County Court Clerk and Surrogate Registrar in the County of Kent in the year 1921.

In this office when the Registrar resigned there was a deputy, who had become physically incapacitated.

Before a new appointment was made, the then Attorney-General directed the Clerk of the Peace, who takes charge of these offices where there is a vacancy, to pay \$50 a month to this Deputy.

When the appointment was made, the new appointee was instructed by the then Attorney-General to pay to this Deputy \$50 a month during his lifetime. This Deputy never worked in the office, he was physically, as I say, physically incapacitated. It was acceptable to the new appointee, who carried out the directions and made the payments.

THE CHAIRMAN: Q. Who made the payments in that case?

A. Colonel Smith was the Crown Attorney or Clerk of the Peace who took over office on the death of the Registrar until new appointment was made and he paid them while he held the office, and when the new appointment was made, Mr. Douglas, he made the payments.

Q. And these were made on the instructions of the Attorney-General?

A. Yes, they were.

Q. Who was the Attorney-General?

A. I think it was Mr. Raney. Yes, it was Mr. Raney at that time, and there is a file here with a lot of correspondence in it which gives you a history of the whole matter and arrangement and terms, as I have briefly summarized them.

HON. MR. MACAULAY: Q. There would be no vote or no estimates to cover that amount?

A. No.

THE CHAIRMAN: Q. That would come out of the pocket of the fellow that got the job?

A. Yes, it would come out of the pocket of Mr. Douglas who was the appointee of the office.

Q. And would come out under instructions of the then Attorney-General?

A. Yes. There does not appear to be any file number for this. I located these papers in the vaults—at least I did not, some of the office staff, and I marked the file with a big “A,” so that you will know. Call that “A.”

The next case is in 1922. This deals with the Crown Attorney and Clerk

of the Peace for the County of Lincoln. The file number is 3288. An arrangement was made whereby the Crown Attorney and Clerk of the Peace, who was Mr. Brennan, was retired as and from December 31st, 1922, he to receive an annual compassionate allowance of \$1,200 and an Order-in-Council was passed dated December 20th, 1922, and he got his \$1,200 during his life-time, and that compassionate allowance was paid out of certain vote and paid by the Government, \$1,200 per annum. There are a number of Orders-in-Council—I am not sure whether Mr. Brennan is still living or not; I cannot tell you that.

Now, the next one I have is case of a Magistrate by the name of Mr. Patullo in 1923, at Orangeville. He was retired and he was promised an annual compassionate allowance at the rate of \$250 per annum as long as he lived, and in fulfillment of this promise an Order-in-Council was passed on the 3rd of April, 1923, making provision for the payment of \$250 for the year 1923-1924 payable in two instalments.

HON. MR. MACAULAY: Q. That was on the recommendation of the Attorney-General?

A. Yes, it was.

Q. Who was the Attorney-General?

A. 1923, on the third of April, Mr. Raney.

THE CHAIRMAN: Q. Are you sure there is not any mistake about these things?

THE WITNESS: Well, I have the original here and there is the recommendation that is signed by Mr. Raney, if that is what you mean.

HON. MR. MACAULAY: He was talking to Mr. Nixon, Mr. Humphries.

In 1923, the Toronto Registry Office, Mr. Raney was the Attorney-General at the time, and Mr. Peter Ryan was Registrar, and on the retirement of Peter Ryan as Registrar for the City of Toronto, which retirement was arranged by amalgamating the two registry offices, Mr. Ryan was retired on a pension, which was paid out of the office, and Mr. Curry was appointed Registrar. You will find this is consummated by an amendment to the Registry Act, section 119, page 1581, of the Revised Statutes.

THE CHAIRMAN: What was the pension Mr. Ryan was to get?

A. I have not it noted. Have we got the Statutes here?

MR. HIGHTON: Could not very well say, it was proportion of the receipts.

THE CHAIRMAN: He was to get allowance and this allowance was to be paid out of the fees. Would these fees ordinarily go to the appointee, Mr. Curry?

A. No, I think Mr. Curry was paid a salary.

MR. MCBRIEN: But previous to that all registrars were under fee system. Mr. Ryan was under fee system?

THE WITNESS: There was East and West Division and there was a Registrar in each division and Mr. Ryan was one of them. It is the Registry Act, R.S.O., Chap. 155, Section 118, which reads this way:

"118. The Registrar, deputy registrars, clerks, officers and employees employed in the registry office for the Registry Division of Toronto shall be paid out of the receipts of the office, such salaries as may be approved by the Lieutenant-Governor in Council, and subject to the regulations the fees prescribed by this Act shall be collected and accounted for by such persons and in such manner as the Inspector of Registry Offices may direct.

"119. (1)—Any registrar, deputy registrar or other officer or employee who is retired as a result of the establishment of the Registry Division of Toronto may be paid a retiring allowance to be fixed by the Lieutenant-Governor in Council not exceeding a sum equal to three-fifths of his average annual net income from his office for the five years next preceding his retirement, and any such retiring allowance shall be a charge upon and shall be payable out of the fees received from the said office in monthly payments during the lifetime of the person so retiring as part of the expenses of the registry office."

Q. That legislation was passed when?

A. 1923.

Q. At the time of the retirement of Peter Ryan and appointment of the late Mr. Curry?

A. Yes, sir.

HON. MR. MACAULAY: And even provided that his creditors could not take it from him.

MR. MCBRIEN: He had a lot of them.

HON. MR. MACAULAY: Q. Is not that the legal affect of that?

A. Yes, that is the legal affect of it, distinctly says in the Statute:

"119. (2). A retiring allowance payable under subsection 1 shall be exempt from the provincial and municipal taxes and shall not be subject to garnishment, attachment or seizure or any legal process and shall not be assignable."

MR. BAIRD: I was once in company with Mr. Peter Ryan when he said he was neutral, sometimes voted Liberal and sometimes voted Grit.

THE WITNESS: The reference, Mr. Chairman, to that section, you will



note in the Revised Statutes at the end of the section is usually noted where the provision came from. This is 1923, Ontario Statutes, Chapter 27, Section 7.

Now, the next case I have, Mr. Chairman, is 1925. This is—

HON. MR. MACAULAY: There is one in Dufferin County in 1923?

A. I gave you that, that was Mr. Patullo. This one is not on the list but this was something that was done in Mr—I think Mr. Nickle was the Attorney-General at the time. This is the Registry Office at Kingston. In 1925, prior to December 11th, 1925, there were two Registry offices—one for the City of Kingston and one for the County of Frontenac.

By Order-in-Council, dated December 11th, 1925, the offices were consolidated into one office and the following provision was made for the retirement of the Registrar for the Kingston office:

(1) Payment of a thousand dollars by the Government as a compassionate allowance.

(2) Appointment of the retired Registrar as a Deputy at a yearly amount of \$870, payable in equal monthly instalments—this office to be retained by the retiring registrar for life, and to act only in an advisory capacity and not to be required to do any office work or to keep any regular office hours.

This yearly payment was paid by the Registrar for the consolidated offices, and has been considered as an office disbursement.

THE CHAIRMAN: It is not paid by the Government?

A. No, not paid by the Government.

HON. MR. MACAULAY: Q. And again any excess fees that the County would share in would be cut down by that disbursement, the Registrar would be allowed to enter up—

A. Similar to the Barrie case. The file number is 2982.

The next one I have is the Evans-Cotter case, 1926, file number 1242. Mr. Cotter was the Crown Attorney, Clerk of the Peace, Local Master of the Supreme Court of Ontario for the County of Simcoe.

HON. MR. MACAULAY: Q. He was a judicial officer inasmuch as he was Local Master of the Supreme Court?

A. Yes, he was, and he was one of the oldest Crown Attorneys in the Province of Ontario, and I remember one day when I was in seeing him he told me that he was appointed before Confederation. Owing to the financial position and advanced age and infirmity of the Crown Attorney and Clerk of the Peace and Local Master and the fact that there was not any superannuation, for some 60 odd years of service, the following provision was made for his maintenance:

(1) A compassionate allowance of \$1,000 paid by the Government.

(2) Payment by his successor in office of one-half of the net proceeds of the offices of Crown Attorney and Clerk of the Peace up to the amount of \$3,500 as received by the successor, during the life-time of the retired official. That is file number 1242.

Q. Who was the Attorney-General that recommended that arrangement?

A. That was Mr. Nickle.

The next official we have was the Local Registrar and County Clerk and Surrogate Registrar of Huron County. This official resigned owing to conditions that existed in the office caused by his physical infirmities. He had been in the service for many years, and this case was dealt with in this way: He was paid a compassionate allowance of \$1,000 by the Government.

Q. What Attorney-General recommended that?

A. That was Mr. Nickle. That was 1926 and the file number is—there are two files on this—2465 and 1993.

I come to another case in 1926, a police magistrate, his name is McArthur, Burk's Falls—I do not know what district that is in—Parry Sound District. Mr. McArthur was quite an old gentleman and he had been in office for a number of years and he was retired and Dr. Wilson took his place and he was paid a compassionate allowance of \$1,000. File No. 1171.

The next case I think is in 1927, and Mr. Price I think was the Attorney-General at that time—I am not sure he was. Mr. Seager was the Clerk of the Peace and the Crown Attorney at Goderich for a number of years. He had given over 40 years' service and reaching an advanced age and due to physical incapacities and the fact that there was no superannuation, the following provision was made for his maintenance:

THE CHAIRMAN: What age would he be?

A. Well, I do not know whether I have his age or not but I know he was quite an old man.

MR. ROBERTSON: He was over 80 at that time.

THE WITNESS: He was given a compassionate allowance of \$1,000 in 1927, \$500 in 1928 and \$500 in 1929, paid by the Government. His successor paid him \$250 a year each year for a period of three years.

THE CHAIRMAN: Q. In addition?

A. In addition to the compassionate allowance.

Q. Was the Inspector of Legal Offices aware of that, was the Attorney-General's Department aware of that?

A. Yes, they were.

MR. ROBERTSON: Q. Would that be the same three years with the Government's other payments, that he got the \$250 from his successor?

A. Yes. I think it was Mr. Holmes, now Judge Holmes at Barrie, was his successor, if my recollection is right. That is file 372, 1927.

Now, here is another case I have not on this list. It happened in 1931 and to do with the Surrogate Registrar at Kingston. I may say in Kingston until 1931 there were two separate offices and two separate officials, one the Local Registrar of the Supreme Court and County Court Clerk and the other the Surrogate Registrar, and those offices are still separate. Miss Helen Fraser was the Surrogate Registrar of Kingston. She had reached the age of 78 and she had been appointed by the Late Sir Oliver Mowat. The Inspector reported that Miss Fraser had a sister about her own age, that she came to the office when she was not physically fit to be there, the years have laid hold on her, she was frail and had very much difficulty with her eyesight and her efficiency had waned, and it was suggested that some retiring allowance be arranged for Miss Fraser, and the result of this was as follows: The new appointee pays her \$1,200 a year out of the fees of the office as long as she lives and in addition to that an Order-in-Council was passed on the 15th day of June, 1931, in which the Government paid her a lump sum of \$600 as a compassionate allowance. The number of that file is 1853. Miss Fraser is still living.

Now, the next case I have is in 1932, and it has to do with the Police Magistrate for the United Counties of Northumberland and Durham, namely Colonel Floyd, Cobourg. Owing to ill health and physical infirmities of Colonel Floyd, who is beyond 74 or 75 years of age, it was found that he was confined to his home. Certain investigations were made and it was arranged as follows: Mr. J. H. Patterson was appointed Deputy Police Magistrate for the United Counties and for the Town of Cobourg. The salary that Colonel Floyd received was divided and the Government instead of paying him his double salary pays him now \$1,200 a year and they pay \$900 a year to the Deputy. The Town of Cobourg pays the Magistrate a salary of \$900 and an arrangement was made whereby of this \$900, \$600 is paid to Colonel Floyd and \$300 is paid to the Deputy. The Deputy does all the work. The file number is 3315 and the year is 1932.

Now, the last one and most recent one we have to deal with is the Crown Attorney and Clerk of the Peace for the County of Elgin. I speak of Angus McCrimmon, K.C., who just died very recently. Mr. McCrimmon had been in office as Crown Attorney and Clerk of the Peace for a very great number of years, 40 years or more. He had reached his 87th year and on account of his age and long service the time arrived when there should be consideration given to his retirement. After investigations were made the following arrangement was effected in order to make provision for his maintenance as long as he lived. In the first place he was given one month's leave of absence, which entitled him to the fees of the office for a month. Secondly, his successor out of the fees of the office was to pay him the sum of \$1,000 per annum for life. This arrangement was effected last September and, as I have just stated, Mr. McCrimmon passed away about a few months ago. The file number is 2124 and the year is 1923.

HON. MR. MACAULAY: In that connection I would like to read a letter that Mr. McCrimmon wrote to the Attorney-General after the McCaughrin case came up, to show just in what way that the Attorney-General's office are trying to provide for these old officials. It is dated November 22nd:

"December 22, 1933.

"The Honourable W. H. Price,

"Attorney-General,

"Toronto, Ontario.

"Dear Sir:

"On this happy, cheering, reassuring time the world over—may I say from the home of the Hottentot to the Palace of the King, I wish to convey to you personally an expression of my sincere appreciation of your conduct towards me as Crown Attorney in this County.

"May I also include in that sentiment the Officers connected with your Department, Messrs. Bayly, Humphries, Golding and the rest of the boys and particularly my special friend, Miss Helen M. Gunn.

"It is reassuring when Officers of a Department, such as yours, are imbued with the sense of their official duties in the life of a Country as they are.

"Hoping that some day in the future—as I have been declared a century plant—to have the pleasure of shaking hands with you all, and

"Wishing, from the warmest emotions of my soul, you, and your officers, a Merry Christmas and a Happy New Year.

"Yours very truly,

"(Signed) A. McCRIMMON."

I would like that put in.

EXHIBIT 23: Letter dated December 22, 1933, from Angus McCrimmon, K.C.

I suppose this means there is good faith and no double-crossing even in the heart of Africa.

Q. Now, you have given us an imposing list of precedents under various Attorney-Generals for the last thirty-five years or more, and having this in mind, Mr. Gover and Mr. McCaughrin having come to an agreement as to the amount which should be paid as a retiring allowance to Mr. McCaughrin, what type or class of arrangement, when it came to your attention for official action, would have been approved of or worked out by you?



A. Well, that is rather a tough question to ask me. I have never had this matter before me to work out.

THE CHAIRMAN: Let me put it this way to you: As Inspector of Legal Offices while you held it and now when Mr. Dennison holds it, your duty is to see that efficiency is maintained in these public offices—I assume that is correct?

A. Yes, that is right.

Q. And whether it is inefficiency from lack of capacity or inefficiency because of advancing years an effort is made to provide efficiency by providing a substitute, and in the cases which you have given us to-day, with all of the file numbers, all of these cases have been to provide efficiency in office and some have been provided directly by the Crown voting an amount by Order-in-Council, others by approving of provisions wherein incoming officials have agreed to pay those who are vacating that office. In both cases the Attorney-General's Department has approved, am I right?

A. Yes, that is correct.

Q. What you have outlined has been the practice of the former Liberal Government under its Prime Ministers and Attorney-Generals, the same practice has been followed by the Drury Government under Attorney-General Mr. Raney, and the same practice has been carried out by Conservative Administration since 1919 or 1923?

A. Well, that is what the evidence from the files show.

Q. And your Department was familiar, as you have told us, with the condition of the Police Magistracy up at Orillia, and both yourself and Mr. Denison have told us quite emphatically that the occupant, Mr. Dan. McCaughrin, was quite inefficient and the administration of justice was suffering?

A. That was quite correct, and the evidence I produced the other day in the files bear that out.

Q. Has there ever been any suggestion in Mr. Raney's time or prior to it or since that those arrangements made to help a man be retired, either for inefficiency or through old age, was a trafficking in public office?

A. No, sir.

HON. MR. MACAULAY: Q. Mr. Price has said in his evidence that you were away in Windsor at the time when this arrangement had been come to, Mr. Humphries, and the memo which has been filed says "Subject to approval of the Department of the Attorney-General by whose officials the details are to be worked out." Now, I am asking you, if, in the ordinary course of events, this would not come before you to be worked out?

A. Yes, it would. I went to Windsor, I think I am pretty sure I am right, about the 21st or 22nd of November, as Counsel for the Commissioner investigating the conditions of the Children's Shelter there. I was only in the office

two Saturday mornings in December, that was the 2nd of December and the 9th of December, and I did not complete the work at Windsor until Wednesday night, the 21st day of December, when I came to the office on the 22nd of December. As I came in on the early train I did not get down very early, nearly luncheon time when I came in and therefore I had no opportunity of working out any plans or details as to how this was to be arranged, and I had not seen the agreement and it could not very well be placed before me because I was away. So as a matter of fact it never came before the Department, never came before me in any way, shape or form to carry out what I have seen on that, that arrangements have to be subject to the approval of the Attorney-General's office.

THE CHAIRMAN: Q. Having regard to what has been carried out before, as you have put it this morning, was there anything objectionable in the arrangements made to vacate the office and make arrangements for Mr. McCaughrin?

A. I will be perfectly frank in answering that question. I am more or less of a human individual and I have seen some cases of our outside officials who through age and infirmity and other disabilities reached the stage when their efficiency is gone, and in view of what has been done in the past it never occurred to me but what it was not the right thing and the proper thing to attempt to work out some plan whereby there would be some consideration given to the retiring official.

Q. You mean Mr. McCaughrin?

A. No, I am speaking generally, and I would say that I would consider Mr. McCaughrin's case along the same line as I considered some of those other cases, Miss Fraser's case or Mr. McCrimmon's case. It was a case of the efficiency of the office and having someone come in who would carry on the work. The manner of working out, as you have noticed by the evidence that I have produced here, has varied in different cases, but I always thought in working out Mr. McCrimmon's case, Magistrate Floyd's case and Miss Fraser's case, and Mr. Seager's case, that I was doing something that was quite all right.

THE CHAIRMAN: Are there any questions any member of the Committee would like to ask?

MR. SINGER: Q. In regard to the first case referred to by Mr. Humphries, I think there was a judgment of Mr. Justice Street referred to in connection with suit, in connection with the allowance—was there any written judgment by His Lordship on that occasion?

A. I think I can give you reference. I am not sure whether I have it noted or not. I read the case—

Q. Did he criticise the system at that time?

A. Not a word said about it.

Q. Well, he knew the facts, did he not, that it was a retiring allowance paid by the appointee?

THE CHAIRMAN: Oh, the case was on those facts.

THE WITNESS: It was an action brought by Mr. Smart against the Sureties who were on the bond of Mr. Dana to pay this money and it was held that it was good, and the Sureties had to pay.

MR. SINGER: Q. No question of illegality of the transaction or trafficking in office at that time?

A. No, nothing in that case that I see.

THE CHAIRMAN: Mr. Nixon, have you any questions you would like to ask Mr. Humphries?

HON. MR. NIXON: Well, I have no questions. Of course, many of those cases are not parallel.

THE CHAIRMAN: Have you any questions you wanted to ask?

HON. MR. NIXON: I wanted to ask him questions. I was not able to remain last Friday night having made other engagements. I would like to know whether that agreement signed by Mr. Gover was filed as an exhibit.

THE CHAIRMAN: Yes.

HON. MR. NIXON: I had not noted that in the Press.

THE CHAIRMAN: Any questions, Mr. McQuibban?

MR. HONEYWELL: Q. Have you any record of the Magistrate in Ottawa in 1922?

A. Well, no doubt there is a file on it, Mr. Honeywell, I did not look at it—

Q. I would like to examine that.

A. Mr. Vaughan spoke to me this morning about some case, maybe if he is here he might mention it.

MR. VAUGHAN: Oh, that is twenty-nine years ago during the Ross regime.

THE CHAIRMAN: Case of whom?

MR. VAUGHAN: Case of Surrogate Court Clerk in the City of Welland. Mr. Wilson was retired on allowance and Cohoe was appointed and still acting.

THE CHAIRMAN: Paid directly by the Government?

MR. VAUGHAN: He paid himself, he paid the money to Mr. I. P. Wilson.

THE CHAIRMAN: The incoming officer?

MR. VAUGHAN: The incoming officer paid the retiring allowance.

THE WITNESS: If there are any cases, Mr. Chairman, that any of the members of the Committee know about, if they would like to have the facts produced, I will undertake to have the office staff look the files up and bring them in.

MR. HEIGHINGTON: Might I suggest that the proceedings of the House at the time that Act was passed, I think in 1923, in regard to the Registry Office of the City of Toronto, that the Journals be made an exhibit so that we can see whether there was any discussion at that time on this point.

THE CHAIRMAN: There would be nothing appear in the journals except resolutions and what action the House took.

HON. MR. MACAULAY: Would not disclose any discussion, just the motion and amendments and results.

THE CHAIRMAN: The Press of the day might—in any event we can look it up, and it will be a matter of record on the Journal of the House.

MR. BAIRD: Q. In practically all these records you have laid before the Committee this morning you stated that the allowance was made on compassionate grounds. There was one, however, the appointment of Mr. H. E. Irwin as Clerk of the Peace in 1899, when he succeeded Mr. Bull. As far as I could remember Mr. E. H. Bull was a wealthy man and that was made without any reference to compassion.

A. Well, I will read you part of the order if you like as maybe it will be beneficial to the Chairman of the Committee. This is certified copy of Order-in-Council approved by His Honour the Lieutenant-Governor, dated 24th day of February, 1899.

“Upon the recommendation of the Honourable the Attorney-General the Committee of Counsel advise that the resignation of Mr. Thomas H. Bull, Clerk of the Peace for the County of York, be accepted, to take effect on and from the first day of April, 1899.

“It was further advised that having regard to the long services of Mr. Bull and the fact that he is now an elderly man and that his health makes it impossible for him to attend to the duties of the office personally, there be reserved to him out of the fees, perquisites or proceeds of the office the sum of \$900 per annum for a period of five years, if he shall live so long, and if not then during his lifetime, to be paid to him by his successor in office, and that the same be so reserved to him in the patent appointing his successor, and to be secured to him also by an agreement or bond of his successor in office, with two sureties in the sum of \$1,000, the said sum of \$900 to be payable to him in equal quarterly payments during the said period of five years, or until his death if such event should happen before the expiry of the five years.

“The Committee further advise that Herbert E. Irwin of the Village



of Weston be appointed Clerk of the Peace in and for the County of York in the room and stead of the said Thomas H. Bull upon the terms and conditions aforesaid, such appointment to take effect on and from the first day of April, 1899."

Q. Nothing said about payment to be made on compassionate grounds?

A. No.

HON. MR. MACAULAY: Advance in years and his health having failed.

MR. BAIRD: That is all. I think that is one on which there was no compassionate grounds.

THE CHAIRMAN: Are you through, Mr. Macaulay?

HON. MR. MACAULAY: Yes.

THE CHAIRMAN: Any further witnesses to call?

HON. MR. MACAULAY: I would like to call Chief Church, Chief of Police in the Town of Orillia.

A. L. CHURCH, sworn. Examined by HON. MR. MACAULAY.

Q. What is your position in the Town of Orillia?

A. Chief of Police.

Q. Have you had any conversations with Mr. McCaughrin since the statements and correspondence of Mr. McCaughrin were published in the Press about 21st day of December, 1933?

A. I have.

Q. Where did you have such interviews?

A. In my office.

Q. More than one?

A. Yes, on two occasions.

Q. When were they?

A. Well, I have not got the date down just exactly but it is since he has been out of office.

Q. Since he has been retired?

A. Yes, sir.

Q. And what took place on the first occasion?

A. On one occasion he came into my office and asked if he could leave a desk in there, that he was not going to take out all his belongings from his office because he expected to be back in office in about four months.

Q. Anything else?

A. Yes, he said he expected to be out on the hustings against the Government pretty soon, as soon as he came back.

Q. Apparently he expected election before four months?

A. Well, you must take that for what it is worth.

Q. I just ask you to tell what took place and no trimmings; we will draw our own conclusions. Is that all that took place on the first time?

A. Those two occasions, I gave you both times. The first time about his office equipment and the next time about his going out to speak against the Government.

Q. Did he bring up the question of office equipment the second time?

A. No.

Q. Where is the office furniture now—still in the office?

A. Some of it he took home and some still in the office; still in the office—the office had been moved to another part of the building, still in the Magistrate's office.

Q. Still working on that assumption that he will be back again?

A. Apparently.

THE CHAIRMAN: Q. Did he say as to how he was going to get back or how did you understand him?

A. No, he did not say that.

THE CHAIRMAN: That is all. Any further witness?

NON. MR. MACAULAY: No.

THE CHAIRMAN: Any Member of the Committee have any suggestions to make as to proceeding along any further line of this inquiry or any further evidence that should be offered?

MR. STRICKLAND: Mr. McCaughrin's letter to the Attorney-General of November 8th, is that an Exhibit?

THE CHAIRMAN: There is a letter here dated 8th November, 1933, which reads as follows:

"It has recently been hinted to me that there may be a consolidation of some of the magistrates' jurisdictions in Ontario, such as Magistrate Gover's and my own.

"During the Depression the Orillia Court has been very busy keeping complaints being prevented from developing into court cases by my persuading the parties concerned to get together and have an understanding.

"It has also been told me I have a good income from sources other than my magistrate's pay, which is quite in error. Our home in Orillia is a small cottage and operated as economically as possible, I receive a monthly pension for disability received in the Great War and one from the Canadian Pacific Railway for services, and these pensions are not very great in amounts.

"The above, together with five bonds at four per cent. constitutes my earnings in addition to my Magistrate's pay.

"If there be any probability of a consolidation I would humbly ask you to, if I be the unfortunate, to reduce my pay from the Province or permit my remaining in the position until next mid-summer as Mrs. McCaughrin has been an invalid since 1920 and I need all my earnings."

Is that the letter you refer to?

MR. STRICKLAND: Yes, that is the letter I had in mind.

THE CHAIRMAN: Yes, that is in.

If there is no further evidence before the Committee I would suggest that we adjourn to meet at the call of the Chair when Committee can meet to make and report its findings to the House, and I will advise members of the Committee what day this week or perhaps the beginning of next week we can meet to make our report to the Assembly.

It has been suggested by Mr. Macaulay that perhaps the Committee might name a sub-committee to prepare the report to the House, which we could then submit to the full Committee, but if the members of the Committee would all like to meet I have not any objection which way. Have you any suggestion, Mr. Nixon?

HON. MR. NIXON: Well, I would have no objection to that.

THE CHAIRMAN: Suppose we ask Mr. Macaulay, Mr. Nixon,

HON. MR. MACAULAY: Mr. McQuibban and yourself.

THE CHAIRMAN: We can agree on a time this afternoon when we can sit down and draw up a report and submit it to the Committee.

Well, Gentlemen, that sub-Committee of Mr. Macaulay and myself and Dr. McQuibban and Mr. Nixon, that these four be a sub-Committee of the main Committee to draft the report for the main Committee for consideration before the main Committee reports to the Assembly, and the main Committee will be called by the Chairman.

Meeting adjourned at 12.30 p.m.

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#### FOURTH SITTING

Thursday, March 22, 1934; 2.30 p.m.

THE CHAIRMAN: Will you call the Roll.—

Roll called.

THE CHAIRMAN: Has Dr. McQuibban come in yet?

After Dr. McQuibban comes in.

THE CHAIRMAN: We come to deal with the McCaughrin report. As the Honourable Members know the Legislature referred to the Legal Committee on the 5th day of February, 1934, the following resolution:

THAT the charges set out in a Statutory Declaration made by one Daniel McCaughrin as published in *The Globe* newspaper in its issue of Friday, December 22nd, 1933, be referred to the Standing Committee on Legal Bills, with full power to fully investigate these charges, to summon witnesses to direct the production of all papers and documents relating to the charges, and to report to this House with all convenient speed the evidence in connection therewith.

Now, this Committee met first on the 8th of February and on Tuesday the 13th of February, and further meetings were adjourned, and at that time I asked the various members of the Committee if there was any further evidence anybody would like to call and there was no suggestions that any further evidence be called than what had been called, nor has there been any request that any further witnesses should be heard in the meantime.

At the last hearing there was a Select Committee appointed in the persons of Mr. Nixon, Dr. McQuibban, Mr. Macaulay and myself to see if we could agree on the bringing in of a report. There were discussions along the line and there were differences of opinion as to what the last line "To report to this House with all convenient speed the evidence in connection therewith" should mean. I think Mr. Nixon took the view that it only empowered us to bring in the actual evidence as reported by the Stenographer, while Dr. McQuibban did not commit himself one way or the other, as I recall it, but, at all events, the Special Committee has not come to any conclusion and we are back at this



hour to consider the general report that we are going to make to the Assembly. I have prepared here perhaps a rather voluminous document which, to give you an idea as to its trend in skeleton form, I will read in part until we decide to go further.

“Your Committee met and heard evidence in connection with this matter on Wednesday, February 8th, and Tuesday, February 13th, 1934, and now beg to report to the House the evidence as directed. In reporting this evidence, in order that it may follow along in chronological order, your Committee has dealt with it under the following heads:

- 1.—Appointing of Mr. McCaughrin as Magistrate.
- 2.—Complaints received by Departmental Officials and resulting curtailment of jurisdiction.
- 3.—The Magistrate's record as to efficiency and suggestions as to his resigning.
- 4.—Events leading up to retirement and meeting of Mr. Finlayson and Mr. McCaughrin on November 11th, 1933.
- 5.—What took place on November 11th, 1933.
- 6.—Events following the meeting of November 11th, 1933.
- 7.—The meeting of Mr. Gover and Mr. McCaughrin at Mr. Finlayson's office.
- 8.—The arrangements made at the meeting of November 25th in Mr. Finlayson's office.
- 9.—Mr. McCaughrin's return to Orillia and his consultation with Mr. Harvie.
- 10.—The preparation of the Declaration.
- 11.—The Declaration reaching *The Globe* office.
- 12.—Mr. McCaughrin's conference with Mr. Bayly.
- 13.—Events following the interview with Mr. Bayly.
- 14.—Interview by *The Star* Reporter with Mr. McCaughrin.
- 15.—Subsequent events.
- 16.—Why arrangements had not been acted upon.
- 17.—Former precedents dealing with allowances for retiring officials.
- 18.—The Declaration.

And then is outlined, which I will be glad to go over, the references to the evidence in the chronological order of the headings given. Then at the end of the report this is said: "All this evidence has been carefully considered by your Committee, who now make the following findings and now present the same to the House."

And the summary of its findings of evidence is this:

- 1.—That Daniel McCaughrin, as Police Magistrate of Orillia, was inefficient;
- 2.—That it was in the public interest that he be retired from such office;
- 3.—That Honourable William Finlayson, member of the Ontario Legislature for Simcoe East, endeavoured, at the request of the said Daniel McCaughrin, in the interests of the said Daniel McCaughrin, to arrange a lump sum allowance to be paid to him by his successor in office;
- 4.—That an arrangement, subject to the approval of the Attorney-General's Department, was agreed to on November 25th, 1933, by Daniel McCaughrin whereby
  - (a)—Daniel McCaughrin in writing (Exhibit 19) resigned his position as Police Magistrate of Orillia;
  - (b)—His successor, one Howard Gover, agreed in writing (Exhibit 30) to pay the said Daniel McCaughrin the sum of \$2,000 distributed over a period of three years, being \$750 the first year, commencing January 1, 1934, \$750 in the following year, and \$500 in the third year.
- 5.—That after such arrangement was entered into, but before approval of the Attorney-General's Department, by whose officers the details were to be worked out, the said Daniel McCaughrin endeavoured to obtain a better settlement from the Attorney-General's Department. In this he failed.
- 6.—That the "charges," or statements amounting to "charges," referred to in *The Toronto Globe* of December 22 and 23, 1933, are summarized and set forth in a statutory declaration (Exhibit 1) sworn to by Daniel McCaughrin at Orillia on December 20, 1933, twenty-five days subsequent to the date of the meeting between Howard Gover, Daniel McCaughrin and Honourable William Finlayson, in the office of the Honourable William Finlayson at Toronto, on November 25, 1933, which declaration was prepared under the direction of Harry Johnston, Ontario Liberal Organizer, in the office of George McLean at Orillia, the former defeated Liberal candidate in Simcoe County; and subsequently and after it was sworn to, the said Harry Johnston and the said Daniel McCaughrin came to Toronto.
- 7.—On the following morning, December 21, 1933, the said Harry Johnston and the said Daniel McCaughrin went to *The Globe* newspaper office and there discussed the said document with, and left it with, Mr. Harry Anderson, with the instructions and understanding that no use was to be made of the same by way of publication until he (McCaughrin) should give authority to do so. The said McCaughrin then visited the Attorney-General's Department and saw

Mr. Bayly, the Deputy Attorney-General, and because Mr. Bayly, the Deputy Attorney-General, would not agree to Mr. McCaughrin's terms, the said McCaughrin left Mr. Bayly's office and got in touch immediately with Mr. Harry Johnston and went back to *The Globe* office, where a conference was held, at which, among others, there were present Mr. Anderson, Mr. McIntosh, Mr. Arthur Roebuck and the said Harry Johnston, and decision was made to publish the said declaration as well as correspondence filed as exhibits.

8.—The evidence shows there was no bartering or trafficking in office, and that what took place in Mr. McCaughrin's behalf, and at his request was merely an endeavour to provide him with a retiring allowance.

9.—The evidence further shows that what was done on behalf of Mr. McCaughrin did not differ in principle from precedents under various Attorney-Generals over a period covering 35 years, particulars of which precedents are embodied in this report.

10.—Attached hereto is the evidence taken at the hearing by the Committee and the various exhibits filed in connection therewith.

11.—Your Committee respectfully suggests that the Government give consideration to direct payment by the Crown of a retiring allowance to a retired official, where on the facts and circumstances of the case, it is expedient, deserving, and in the public interests, that an allowance be made.

That is a summary. In between that skeleton at the top and the findings at the end is an analysis of the evidence, and I suppose the Committee would like to hear that.

As to the appointing:

"The evidence disclosed that Daniel McCaughrin . . . so far as his duties as police magistrate of Town of Orillia was concerned."

Now, is there any objection as to that statement of the evidence by anybody?

HONOURABLE MR. NIXON: Just as to the summary of the evidence?

THE CHAIRMAN: Yes.

HONOURABLE MR. NIXON: I do not propose to object to summary of the evidence; I do not propose to object to any findings—

THE CHAIRMAN: This is a summary of the evidence which is all backed up by the evidence. So, if it is satisfactory, we will deal with the findings to see how far we can agree.

Then the findings are:

"1.—That Daniel McCaughrin as Police Magistrate of Orillia is inefficient."

What do the Committee say on that?

HONOURABLE MR. NIXON: I say we were not asked to make any such findings.

VOICES OF COMMITTEE: Carried, Carried.

"2.—That it was in the public interest that he be retired from office."

Carried, Carried.

HONOURABLE MR. NIXON: I object.

MR. SLACK: I object.

THE CHAIRMAN:

"3.—That the Honourable William Finlayson, Member of the Ontario Legislature for Simcoe East, endeavoured at the request of said Daniel McCaughrin in the interest of the said Daniel McCaughrin to arrange a lump sum allowance to be paid to him by his successor in office."

Carried, Carried.

HONOURABLE MR. NIXON: Objection. I am objecting to all the findings.

THE CHAIRMAN: On the grounds?

HONOURABLE MR. NIXON: On the ground we are not instructed to make findings but rather instructed to take evidence and return evidence to the House.

THE CHAIRMAN: Is that your only objection?

HONOURABLE MR. NIXON: That is as far as I am prepared to debate the matter at the time.

MR. HEIGHINGTON: Does not the objection go throughout?

HONOURABLE MR. NIXON: Yes, sir.

THE CHAIRMAN: No. 3 you said "Carried."

"4.—That arrangement, subject to the approval of the Attorney-General's Department, was agreed to on November 25th, 1933, by Daniel McCaughrin, whereby

(a) Daniel McCaughrin in writing, Exhibit 19, resigned his position as Police Magistrate of Orillia."

HONOURABLE MR. NIXON: The same objection.

MR. SLACK: Object.



THE CHAIRMAN: What does the Committee say? Carried.

MR. SINGER: Is it necessary to go through the whole thing?

THE CHAIRMAN: It will only take a few minutes. While I read them before I did not have expression from the Committee.

“(b) His successor, one Howard Gover, agreed in writing, Exhibit 20, to pay said Daniel McCaughrin the sum of \$2,000 distributed over a period of three years, being \$750 the first year, commencing January 1st, 1934, \$750 in the following year and \$500 in the third year.”

Carried, Carried.

MR. SLACK: I object.

THE HONOURABLE MR. NIXON: Object.

THE CHAIRMAN: You are making same general objection on the principle that the reference to the Committee does not allow us to make the findings?

HONOURABLE MR. NIXON: I do not desire to debate these individual objections.

THE CHAIRMAN: We will go ahead, with your objection as you have expressed it, but just to take the approval of the Committee.

“5.—That after such arrangement was entered into but before approval of the Attorney-General's Department by whose office the details were to be worked out, the said Daniel McCaughrin endeavoured to obtain a better settlement from the Attorney-General's Department. In this he failed.”

Carried, Carried.

MR. SLACK: I object.

HONOURABLE MR. NIXON: I object.

THE CHAIRMAN:

“6.—That the ‘charges,’ or statements amounting to ‘charges,’ referred to in *The Toronto Globe* of December 22 and 23, 1933, are summarized and set forth in a statutory declaration (Exhibit 1) sworn to by Daniel McCaughrin at Orillia on December 20, 1933, twenty-five days subsequent to the date of the meeting between Howard Gover, Daniel McCaughrin and Honourable William Finlayson, in the office of the Honourable William Finlayson at Toronto, on November 25, 1933, which declaration was prepared under the direction of Harry Johnston, Ontario Liberal Organizer, in the office of George McLean at Orillia, the former defeated Liberal candidate in Simcoe County; and subsequently and after it was sworn to, the said Harry Johnston and the said Daniel McCaughrin came to Toronto.”

What is the view of the Committee?

Carried, Carried.

HONOURABLE MR. NIXON: Object.

THE CHAIRMAN: On the same principle?

HONOURABLE MR. NIXON: Yes.

THE CHAIRMAN:

"7.—On the following morning, December 21, 1933, the said Harry Johnston and the said Daniel McCaughrin went to *The Globe* newspaper office and there discussed the said document with, and left it with, Mr. Harry Anderson, with the instructions and understanding that no use was to be made of the same by way of publication until he (McCaughrin) should give authority to do so. The said McCaughrin then visited the Attorney-General's Department and saw Mr. Bayly, the Deputy Attorney-General, and because Mr. Bayly, the Deputy Attorney-General, would not agree to Mr. McCaughrin's terms, the said McCaughrin left Mr. Bayly's office and got in touch immediately with Mr. Harry Johnston and went back to *The Globe* office, where a conference was held, at which, among others, there were present Mr. Anderson, Mr. McIntosh, Mr. Arthur Roebuck and the said Harry Johnston, and decision was made to publish the said declaration as well as correspondence filed as exhibits."

What is your pleasure on that?

Carried, Carried.

HONOURABLE MR. NIXON: Object.

THE CHAIRMAN:

"8.—The evidence shows there was no bartering or trafficking in office and what took place in Mr. McCaughrin's case was merely an endeavour to provide him with a retiring allowance."

What is your pleasure on that?

Carried, Carried.

HONOURABLE MR. NIXON: I object.

MR. SLACK: I object.

THE CHAIRMAN:

"9.—The evidence further shows that what was done on behalf of Mr. McCaughrin did not differ in principle from precedents under various attorney-generals for periods covering 35 years, particulars of which precedents are embodied in this report."

What is your pleasure?

Carried, Carried.

HONOURABLE MR. NIXON: Object.

THE CHAIRMAN:

"10.—Attached herewith is the evidence taken and various exhibits filed.

What do you say as to that?

HONOURABLE MR. NIXON: I am sorry—that is just simply to report evidence and exhibits.

THE CHAIRMAN:

"10.—Attached herewith is the evidence taken and various exhibits filed.

HONOURABLE MR. NIXON: Carried unanimously.

MR. HEIGHINGTON: Why is it necessary to make that finding No. 8. I do not disagree with it but it seems to me—

THE CHAIRMAN: Well, the evidence is direct on that point, that there was no bargaining or trafficking in office.

HONOURABLE MR. NIXON: Why, you turned two fellows loose and tell them to go to it.

THE CHAIRMAN: That was not bargaining for the office; that was as to amount which this man or individual going out—that he was going to get an allowance.

MR. HEIGHINGTON: The rest of the facts substantiate that, that it seems to me more like argument.

THE CHAIRMAN: Well, let us get the evidence. This is, after all, the important part of the whole thing, where Mr. McCaughrin has been quite outstanding, and so has a prominent newspaper, that this was bartering.

HONOURABLE MR. NIXON: That is the whole meat of the charge.

THE CHAIRMAN: Of course it is the meat of the charge. This Committee is asked as to whether the evidence shows whether there was or was not.

Then No. 8:

"The evidence shows that there was no bartering or trafficking in office, and that what took place in Mr. McCaughrin's behalf, and at his request was merely an endeavour to provide him with a retiring allowance."

HONOURABLE MR. NIXON: I object, of course.

Carried, Carried.

THE CHAIRMAN: No. 11—this is a suggestion, not a finding.

"11.—Your Committee respectfully suggests that the Government give consideration to direct payment by the Crown of a retiring allowance to a retired official where, on the facts and circumstances of the case, it is expedient, deserving, and in the public interests, that an allowance be made."

What would you say?

HONOURABLE MR. NIXON: Of course, that is more or less aside from the other thing.

THE CHAIRMAN: Does the Committee care to express any view on that?

HONOURABLE MR. NIXON: Well, I do not. I say they are going absolutely crazy on these retiring allowances. Here you had a man who through depression, he had an exceedingly good job, which in a few years paid \$20,000, and in addition at the time draws two retiring allowances.

THE CHAIRMAN: \$20,000?

HONOURABLE MR. NIXON: That he had received in salary over the years he was magistrate. I am not going on record of any general approval of those retiring allowances. These fellows that only work for a short time for the Crown, why the Province should be under obligation to look after them as long as they live.

THE CHAIRMAN: Shall we strike out Clause No. 11?

MEMBERS: Yes.

MR. SINGER: I think this is a good recommendation. Here, after all, is a man who has given up his other avocations for the purpose of serving the public.

THE CHAIRMAN: The situation is this: No government up to the present time has purported to deal on any systematic basis with the type of person who is an official, as Mr. McCaughrin, or clerks of courts or other outside officials. Superannuation does not apply to them in their day, and as the precedents show there was a recommendation, and you will always find governments, as they come and go, a willingness on the part of governments, particularly where a man is up in years, he is not able to give the service the public would like to have, he has nothing else to live on and the only—

HONOURABLE MR. NIXON: You are not applying that to this particular case?

THE CHAIRMAN: No, generally to that type of man, and time after time friends have interceded, and every government, irrespective of politics, back in the days of Mowat, Ross, in the days of the Drury Government, days of the Whitney Government and Ferguson Government, endeavours are made from time to time to see if these men could not be helped out and there was no definite suggestion that it should be done directly by the Crown as a charge on the revenue. Now, there was some expression of opinion in the Committee, and since, that those things, why should not they be paid direct?



HON. MR. NIXON: What was your suggestion as to how they should be dealt with? In your report there.

THE CHAIRMAN: "Your Committee respectfully suggests that the Government give consideration to direct payment by the Crown of a retiring allowance to a retired official, where, on the facts and circumstances of the case, it is expedient, deserving, and in the public interests that an allowance be made."

HONOURABLE MR. NIXON: I think every case ought to be dealt with on its merits by the Legislature and voted in the Estimates in some way.

MR. HEIGHINGTON: I think so.

HONOURABLE MR. NIXON: There are not so many of them but what the government could carry official vote making recommendation to the Legislature.

THE CHAIRMAN: That is as to how they would pay the bill. Surely you do not suggest that government should not have power to tell a man—

HONOURABLE MR. NIXON: Well, it would be on the recommendation of the Minister, and, of course, go through with any government.

MR. SINGER: Would not that follow automatically after this resolution?

THE CHAIRMAN: There is this side of it, and everybody here knows it—nobody wants to have his disabilities, his inabilities and everything that comes up in a case like this paraded before the Legislature as to whether or not he is going to get \$500 or \$1,000 a year. I suppose if anybody wants to question a case he could get the particulars and get them in the House. But that is only a suggestion and if the Committee think it better be left out, I am perfectly willing.

MR. SINGER: I think it ought to be put in.

MR. HONEYWELL: I think the wording of that indicates the discussion in this Committee indicates that it is desirable that the legislative body discuss that very point, and that is all you ask them to consider. You are not binding them to do it; you are saying it is a subject worthy of the consideration of the Government. I think it is.

THE CHAIRMAN: "Give consideration."

MR. HONEYWELL: Well, that is all we are asking, and I think it should be considered. If they cannot do it after consideration, why there is no harm done.

THE CHAIRMAN: Well, shall we leave the clause in and Government give it consideration?

MR. HONEYWELL: Yes, I see no objection to it.

THE CHAIRMAN: Well, there are the findings on the evidence and, as I take it, the majority of the Committee favours the findings as made and that

Mr. Nixon and Mr. Slack object in principle to any findings because they say the resolution—

HONOURABLE MR. NIXON: I would like to move an amendment setting out just what you set out so fairly, that this Committee adheres strictly to the instructions given us in the resolution of the Legislature on Monday, February 5th, namely: That the charges set out in a Statutory Declaration made by one Daniel McCaughrin as published in *The Globe* newspaper in its issue of Friday, December 22nd, 1933, be referred to the Standing Committee on Legal Bills, with full power to fully investigate these charges, to summon witnesses to direct the production of all papers and documents relating to the charges, and to report to this House with all convenient speed the evidence in connection therewith; and that we report the evidence and exhibits to this House without findings.

I suggest that had the House had it in mind that we were to make any such findings as you propose that they would have so instructed it, and I move in amendment, seconded by Mr. Slack, that we simply report the evidence to the House and the Exhibits without findings.

THE CHAIRMAN: Well, before I deal with that, Mr. Nixon, the situation is this: That a majority has made a finding and that the findings of the majority, and only the findings of the majority, will be reported as the report of the Committee, and I think that this motion that you suggest is one for the House against the report.

HONOURABLE MR. NIXON: No, I propose to move in the House, when you move that the report be received or the report be adopted, that the words after that be struck out.

THE CHAIRMAN: That comes up in the House?

HONOURABLE MR. NIXON: Yes. This is what I will move in the House: (Reads).

THE CHAIRMAN: Then, gentlemen, as we proceeded with these different sections Mr. Nixon and Mr. Slack objected to the passing of each of these sections except section 10 referring the exhibits and evidence taken at the hearings, and that these objections were not sustained and that these different paragraphs numbered as I numbered them, have been carried and give expression to the views of the majority of the Committee. I take it that that is the expression the Committee wishes to give with reference to this motion. Each of these sections has been carried. I do not just see the propriety of this motion.

HONOURABLE MR. NIXON: It is an amendment to the report that we simply report the evidence and exhibits and findings.

THE CHAIRMAN: Well, gentlemen, I can clear it up. It has been suggested by Mr. Cummings that having gone over the different sections, all of which have been approved, that a member of the Committee move that the whole report be adopted and to that motion you move this amendment.

MR. HONEYWELL: I move that the whole report to be reported to the House is the report of this Committee.

MR. SINGER: I second that.

THE CHAIRMAN: It has been moved in amendment by Mr. Nixon that this Committee adhere strictly to the instructions given in the resolution of the Legislature on Monday, February 5th, namely: That the charges set out in a Statutory Declaration made by one Daniel McCaughrin as published in *The Globe* newspaper in its issue of Friday, December 22nd, 1933, be referred to the Standing Committee on Legal Bills, with full power to fully investigate these charges, to summon witnesses to direct the production of all papers and documents relating to the charges, and to report to this House with all convenient speed the evidence in connection therewith; and that we report the evidence and exhibits to this House without findings.

MR. SINGER: Is that the proper amendment?

MR. MARTIN: Mr. Chairman, we are adhering strictly, are we not?

HONOURABLE MR. NIXON: Instructions most specific that we report the evidence.

MR. SINCLAIR: What the Committee does is going to come up in the House. Let us get it through without amendment or anything and debate the thing in the House. The amendment may very well be dropped here; does not mean anything.

HONOURABLE MR. NIXON: If you wish to rule the amendment out of order that is certainly your prerogative.

THE CHAIRMAN: You have a right to express your views in the Committee and Committee will say whether the amendment shall stand or whether it shall fall.

HONOURABLE MR. NIXON: Yes, that will be satisfactory to me.

THE CHAIRMAN: All in favour of the amendment? Against?

Do you want vote taken?

HONOURABLE MR. NIXON: Yes, I propose to vote against the report.

THE CHAIRMAN: Do you want vote taken?

HONOURABLE MR. NIXON: Yes, ayes and nays.

THE CHAIRMAN: The nays are voting for the amendment of Mr. Nixon.

GENTLEMEN, I declare the amendment lost and the report of the Committee as moved by Mr. Honeywell and seconded by Mr. Singer is adopted.

HONOURABLE MR. NIXON: On the same division?

THE CHAIRMAN: Same division.

HONOURABLE MR. NIXON: That is satisfactory to me.

MR. SINCLAIR: As long as we have a division, that is all.

THE CHAIRMAN: Well, gentlemen, this report as gone over will be signed and presented, perhaps not this afternoon but to-morrow.

COMMITTEE adjourned at 3 o'clock, p.m.

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